

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5003**

Chapter 172, Laws of 2021

67th Legislature  
2021 Regular Session

LIVING ORGAN DONORS—INSURANCE

EFFECTIVE DATE: July 25, 2021

Passed by the Senate April 14, 2021  
Yeas 48 Nays 0

DENNY HECK

**President of the Senate**

Passed by the House April 10, 2021  
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Approved May 3, 2021 2:26 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5003** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

**Secretary**

FILED

May 3, 2021

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5003**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2021 Regular Session

**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Keiser, Conway, Kuderer, Randall, Saldaña, Stanford, and Wilson, C.)

READ FIRST TIME 01/21/21.

1 AN ACT Relating to enacting the living donor act; and adding a  
2 new section to chapter 48.02 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.02  
5 RCW to read as follows:

6 (1) Notwithstanding any other provision of law, all insurers,  
7 fraternal benefit societies, health carriers including disability  
8 insurers, health maintenance organizations, and health care service  
9 contractors, and limited health care service contractors may not:

10 (a) Decline or limit coverage of a person under a policy or  
11 contract solely due to the status of the person as a living organ  
12 donor;

13 (b) Preclude a person from donating all or part of an organ as a  
14 condition of receiving or continuing to receive a policy or contract;  
15 or

16 (c) Otherwise discriminate in the offering, issuance,  
17 cancellation, amount of coverage, price, or any other condition of a  
18 policy or contract for a person based solely and without any  
19 additional actuarial risks upon the status of the person as a living  
20 organ donor. Except as provided in RCW 48.43.0128, 48.44.220, or  
21 48.46.370, this subsection does not prohibit fair discrimination on

1 the basis of sex, or marital status, or the presence of any sensory,  
2 mental, or physical handicap when bona fide statistical differences  
3 in risk or exposure have been substantiated.

4 (2) The commissioner shall make educational materials available  
5 to the health plans and the public on the access of living organ  
6 donors to insurance.

7 (3) The commissioner may adopt rules to implement this section.

8 (4) For purposes of this section, "living organ donor" means an  
9 individual who has donated all or part of an organ and is not  
10 deceased.

Passed by the Senate April 14, 2021.

Passed by the House April 10, 2021.

Approved by the Governor May 3, 2021.

Filed in Office of Secretary of State May 3, 2021.

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