



Senate Fiscal Agency
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Senate Bill 384 (as introduced 06-13-23)

(Senate-passed version)

Sponsor: Senator Kevin Hertel

Committee: Health Policy

Date Completed: 6-16-23

CONTENT

The bill would add Sections 3406z, 3901a, and 4002 to the Insurance Code to prohibit an insurer from discriminating against an individual based solely on the individual's status as a living donor.

Specifically, the bill would apply to disability insurance, life insurance, and all long-term care insurance policies or certificates delivered or issued for delivery after December 31, 2023. Unless there was an additional actuarial risk, as determined in accordance with sound actuarial principles and the individual's actual and reasonably anticipated experience, the bill would prohibit an insurer from doing any of the following based solely on the individual's status as a living donor:

- Deny coverage.
- Cancel coverage.
- Refuse to issue the policy or certificate.
- Determine the price or premium for the policy or certificate.
- Otherwise vary a term or condition of the policy or certificate.

"Living donor" would mean an individual who is not deceased and has donated any of the following: 1) all or part of an organ; 2) a tissue.

"Organ" would mean a human kidney, liver, heart, lung, pancreas, esophagus, stomach, or small or large intestine, a portion of the human gastrointestinal tract, or another part of the human body designated by the Department of Insurance and Financial Services by rule. "Tissue" would mean a portion of the human body other than an organ, including, but not limited to, an eye, skin, bone, bone marrow, a heart valve, a spermatozoon, an ova, an artery, a vein, a tendon, a ligament, blood, blood derivatives, a pituitary gland, or fluid.

Proposed MCL 500.3406z et al.

Legislative Analyst: Alex Krabill

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Raczkowski

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