

## CHAPTER 2022-59

### Committee Substitute for House Bill No. 1099

An act relating to living organ donors in insurance policies; creating s. 626.97075, F.S.; defining the term “policy”; prohibiting insurers under specified policies from declining or limiting coverages and discriminating against persons based solely on their status as living organ donors, and from precluding insureds from donating organs; authorizing the Financial Services Commission to adopt rules and take actions to enforce specified laws; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 626.97075, Florida Statutes, is created to read:

626.97075 Life insurance, disability insurance, and long-term care insurance; discrimination against living organ donors prohibited.—

(1) As used in this section, the term “policy” means any of the following:

(a) An individual or group life insurance policy.

(b) An industrial life insurance policy, as the term “industrial life insurance” is defined in s. 627.502(1).

(c) A credit life insurance or credit disability insurance policy, as the terms “credit life insurance” and “credit disability insurance” are defined in s. 627.677(1) and (2), respectively.

(d) A long-term care insurance policy, as defined in s. 627.9404(1).

(2) Notwithstanding any other law, an insurer may not, under a policy:

(a) Decline or limit coverage of a person solely due to his or her status as a living organ donor;

(b) Preclude an insured from donating all or part of an organ as a condition to continuing to receive coverage under the policy; or

(c) Otherwise discriminate in the offering, issuance, cancellation, coverage, premium, or any other condition of the policy for a person without any additional actuarial risk and based solely on his or her status as a living organ donor.

(3) The commission may adopt rules and take actions necessary to enforce this section.

Section 2. This act shall take effect July 1, 2022.

Approved by the Governor April 6, 2022.

Filed in Office Secretary of State April 6, 2022.