

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT**

LS 6481
BILL NUMBER: HB 1082

NOTE PREPARED: Dec 6, 2024
BILL AMENDED:

SUBJECT: Coverage for Living Organ Donors.

FIRST AUTHOR: Rep. Mayfield
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill prohibits an insurer that issues a policy of life insurance, disability insurance, or long term care insurance from taking certain actions with respect to the coverage of individuals who are living organ donors. It also specifies that certain actions constitute an unfair and deceptive act and practice in the business of insurance when taken against a living organ donor by an insurer.

Effective Date: July 1, 2025.

Explanation of State Expenditures: Violations of the coverage protections for organ donors are actionable by the Indiana Department of Insurance (DOI) as unfair and deceptive acts. The agency workload may increase to investigate and adjudicate allegations to determine if an unfair or deceptive act has been committed. The bill's requirements should be able to be implemented by the DOI using existing staffing and resources. [*The DOI is funded through a dedicated agency fund.*]

Explanation of State Revenues: *Department of Insurance (DOI):* The penalty for engaging in an unfair and deceptive act is a civil penalty between \$25,000 and \$50,000 for each act or violation, which is deposited into the state General Fund.

Any resulting revocation of an insurer's license or certificate of authority for knowingly engaging in an unfair or deceptive act would result in a reduction in fee revenue to the DOI's agency fund.

Explanation of Local Expenditures: Local units of government who offer health insurance coverage through a nonERISA plan will need to ensure compliance with the provisions of the bill.

Explanation of Local Revenues:

State Agencies Affected: Department of Insurance; State Personal Department; Family and Social Services Administration.

Local Agencies Affected: Local units offering health insurance coverage.

Information Sources:

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