

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1709
100TH GENERAL ASSEMBLY

4418H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance for living organ donors.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be
2 known as section 376.1590, to read as follows:

**376.1590. 1. As used in this section, the term "insurance policy" means a policy or
2 other contract of life insurance as such term is defined in section 376.365, a policy of
3 accident and sickness insurance as such term is defined in section 376.773, or a long-term
4 care insurance policy as such term is defined in section 376.1100.**

**5 2. Notwithstanding any provision of law to the contrary, a person's status as a
6 living organ donor shall not be the sole factor in the offering, issuance, cancellation, price,
7 or conditions of an insurance policy, nor in the amount of coverage provided under an
8 insurance policy.**

**9 3. (1) The department of commerce and insurance shall provide information to the
10 public on the access of a living organ donor to insurance as specified in this section. If the
11 department of commerce and insurance receives materials related to live organ donation
12 from a recognized live organ donation organization, the department of commerce and
13 insurance may make the materials available to the public.**

**14 (2) If the department of health and senior services receives materials related to live
15 organ donation from a recognized live organ donation organization, the department of
16 health and senior services may make the materials available to the public.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(3) The department of commerce and insurance and the department of health and**
18 **senior services may seek and accept gifts, grants, or donations from private or public**
19 **sources for the purposes of this subsection.**

20 **4. The director of the department of commerce and insurance may promulgate**
21 **rules as necessary for the implementation of this section. Any rule or portion of a rule, as**
22 **that term is defined in section 536.010, that is created under the authority delegated in this**
23 **section shall become effective only if it complies with and is subject to all of the provisions**
24 **of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**
25 **nonseverable, and if any of the powers vested with the general assembly pursuant to**
26 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**
27 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**
28 **proposed or adopted after August 28, 2020, shall be invalid and void.**

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