

SECOND REGULAR SESSION

SENATE BILL NO. 551

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WIELAND.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

3729S.01I

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 known as section 376.1590, to read as follows:

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

2. Notwithstanding any provision of law to the contrary, it shall be unlawful to discriminate against a person in the offering, issuance, cancellation, price, or conditions of an insurance policy, or in the amount of coverage provided under an insurance policy, based solely and without any additional actuarial risks on the status of such person as an organ donor.

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

(2) If the department of health and senior services receives materials related to live organ donation from a recognized live organ donation organization, the department of health and senior services

22 shall make the materials available to the public.

23 (3) The department of commerce and insurance and the
24 department of health and senior services may seek and accept gifts,
25 grants, or donations from private or public sources for the purposes of
26 this subsection.

27 4. The director of the department of commerce and insurance
28 may promulgate rules as necessary for the implementation of this
29 section. Any rule or portion of a rule, as that term is defined in section
30 536.010, that is created under the authority delegated in this section
31 shall become effective only if it complies with and is subject to all of
32 the provisions of chapter 536 and, if applicable, section 536.028. This
33 section and chapter 536 are nonseverable and if any of the powers
34 vested with the general assembly pursuant to chapter 536 to review, to
35 delay the effective date, or to disapprove and annul a rule are
36 subsequently held unconstitutional, then the grant of rulemaking
37 authority and any rule proposed or adopted after August 28, 2020, shall
38 be invalid and void.

Bill ✓

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