

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	SB378
Version:	ENGR
Request Number:	NA
Author:	Bush
Date:	3/29/2021
Impact:	No impact

Research Analysis

SB 378 creates Everett's Law. The measure prohibits any covered entity of health care services from considering any individual ineligible to receive an anatomical gift solely on the basis of an individual's disability such as denying any medical services related to organ transplants, refusing to refer the individual to a transplant center for the purpose of organ transplant or evaluation, refusing to place a qualified recipient on an organ transplant waiting list, placing the qualified recipient of an organ transplant at a lower priority position because of disability, or refusing to accept health insurance coverage for any procedure associated with organ transplants.

The measure allows the covered entity to take the individual's disability into account when making treatment or coverage recommendations or decisions when the disability has been evaluated by a physician or surgeon and the disability has been determined to be medically significant. The measure prohibits covered entities from considering an individual's inability to independently comply with post-transplant medical requirements to be medically significant if the individual has the necessary support system to assist them with compliance of post-transplant requirements.

Covered entities are also required to make reasonable modifications to its policies, practices or procedures to allow individuals with disabilities access to transplantation-related services and take necessary steps to ensure that individuals with disabilities are not denied medical services or other services related to organ transplantation unless the steps would result in an undue burden for the covered entity.

Covered entities violating provisions of this act are subject to civil action and other equitable relief from affected individuals.

The measure prohibits a health carrier from denying coverage, penalizing or reducing reimbursement, or limiting coverage benefits solely based on the person's disability.

Prepared By: Dan Brooks

Fiscal Analysis

After review, SB 378 has no fiscal or revenue considerations to the state.

Prepared By: Stacy Johnson

Other Considerations

None.

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