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H.590

Introduced by Representatives Noyes of Wolcott and Carpenter of Hyde Park  
Referred to Committee on  
Date:  
Subject: Insurance; labor; employment practices; leave; living donors  
Statement of purpose of bill as introduced: This bill proposes to provide  
insurance protections and job-protected leave from employment for living  
donors.

An act relating to insurance protections and leave from employment for  
living donors

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 8 V.S.A. § 4724(23) is added to read:

(23) Living donors.

(A) Unless there is an additional actuarial risk as determined in  
accordance with sound actuarial principles as well as the individual's actual  
and reasonably anticipated experience, an insurer shall not do any of the  
following with respect to a policy based solely on the individual's status as a  
living donor:

(i) deny coverage;

(ii) cancel coverage;



1           (5)~~(A)~~ “Serious illness” means an accident, disease, or physical or  
2 mental condition that:

3           ~~(A)~~(i) poses imminent danger of death;

4           ~~(B)~~(ii) requires inpatient care in a hospital; or

5           ~~(C)~~(iii) requires continuing in-home care under the direction of a  
6 physician.

7           (B)(i) “Serious illness” includes the preparation, surgery, and  
8 recovery related to the donation of tissue or all or part of an organ.

9           (ii) As used in this subdivision (5):

10           (I) “Organ” means a human kidney, liver, heart, lung, pancreas,  
11 esophagus, stomach, small or large intestine, a portion of the human  
12 gastrointestinal tract, or another part of the human body designated by the  
13 Commissioner.

14           (II) “Tissue” means a portion of the human body other than an  
15 organ, including an eye, skin, bone, bone marrow, a heart valve, a  
16 spermatozoon, an ovum, an artery, a vein, a tendon, a ligament, blood, blood  
17 derivatives, a pituitary gland, or fluid.

18 Sec. 3. EFFECTIVE DATE

19           This act shall take effect on passage.