



ARIZONA STATE SENATE
Fifty-Fourth Legislature, First Regular Session

FACT SHEET FOR S.B. 1100

insurance; living organ donors

Purpose

Prohibits life, long-term care and disability insurers from discriminating against living organ donors through policy conditions, acceptance or pricing based solely on a person's status as a living organ donor.

Background

Current statute prohibits business practices that constitute unfair methods of competition, unfair or deceptive acts and unfair or deceptive practices by specified insurers including: 1) stock, mutual, reciprocal and title insurers; 2) healthcare services organizations; 3) hospital, medical and dental optometric service corporations; and 4) prepaid dental plan organizations. Additionally, statute prohibits insurers from engaging in specified acts when insuring individuals with hemophilia, genetic conditions, developmental delays or developmental disabilities and individuals who have been victims of domestic violence.

Specifically, insurers are prohibited from permitting any unfair discrimination respecting hemophiliacs or between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees or rates charged for an insurance policy, contract or for disability insurance. Insurers are also prohibited from refusing to consider an application for life or disability insurance on the basis of a genetic condition, developmental delay or developmental disability. Similarly, insurers are prohibited from denying a claim incurred or denying, refusing, refusing to renew, restricting, canceling, excluding or limiting coverage or charging a different rate for the same coverage solely on the basis that the insured or proposed insured is or has been a victim of domestic violence or is an entity or individual that provides services to victims of domestic violence ([A.R.S. § 20-448](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits an insurer that offers life, long-term care or disability insurance contracts from unfairly discriminating against a living organ donor in the offering, issuance, pricing or conditions of an insurance policy based solely, and without additional actuarial risks, on that person's status as a living organ donor.
2. Defines *living organ donor* as a living person who donates an organ to another living person.
3. Makes technical and conforming changes.
4. Becomes effective on the general effective date.