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H.B. 188
134th General Assembly

Bill Analysis

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Version: As Reported by Senate Insurance

Primary Sponsors: Reps. Lampton and Cross

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SUMMARY

- Prohibits life, disability, and long-term care insurers from unfairly discriminating against a living organ donor in the offering, issuance, premium, or conditions of such a policy.

DETAILED ANALYSIS

The bill prohibits an insurer from unfairly discriminating against a living organ donor in the offering, issuance, premium, or conditions of a life, disability, or long-term care insurance policy based solely, and without any additional actuarial risks, on that person's status as a living organ donor. A "living organ donor" is a living person who donates an organ to another living person.¹

A violation of this prohibition is an unfair and deceptive practice in the business of insurance, permitting the Superintendent of Insurance to impose a variety of sanctions on the violator. Possible sanctions include suspending or revoking the insurer's license, ordering the insurer to make restitution, and imposing a civil penalty.

The bill authorizes the Superintendent to adopt rules as necessary to carry out the bill's requirements.²

¹ R.C. 3901.80(A) and (B).

² R.C. 3901.80(C) and (D); R.C. 3901.21 and 3901.22, not in the bill.

HISTORY

Action	Date
Introduced	03-09-21
Reported, H. Insurance	06-23-21
Passed House (91-0)	06-25-21
Reported, S. Insurance	11-16-21
