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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 188  
134<sup>th</sup> General Assembly

## Final Analysis

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**Primary Sponsors:** Reps. Lampton and Cross

**Effective date:** July 6, 2022

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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 act 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.<sup>1</sup>

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 act authorizes the Superintendent to adopt rules as necessary to carry out the act's requirements.<sup>2</sup>

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<sup>1</sup> R.C. 3901.80(A) and (B).

<sup>2</sup> R.C. 3901.80(C) and (D); R.C. 3901.21 and 3901.22, not in the act.

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## 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
Passed Senate (30-0)	03-08-22
House refused to concur in Senate amendments (55-41)	03-09-22
Senate receded from amendments (30-0)	03-16-22

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