1	H.590
2	Introduced by Representatives Noyes of Wolcott and Carpenter of Hyde Park
3	Referred to Committee on
4	Date:
5	Subject: Insurance; labor; employment practices; leave; living donors
6	Statement of purpose of bill as introduced: This bill proposes to provide
7	insurance protections and job-protected leave from employment for living
8	donors.
9 10	An act relating to insurance protections and leave from employment for living donors
11	It is hereby enacted by the General Assembly of the State of Vermont:
12	Sec. 1. 8 V.S.A. § 4724(23) is added to read:
13	(23) Living donors.
14	(A) Unless there is an additional actuarial risk as determined in
15	accordance with sound actuarial principles as well as the individual's actual
16	and reasonably anticipated experience, an insurer shall not do any of the
17	following with respect to a policy based solely on the individual's status as a
18	living donor:
19	(i) deny coverage;
20	(ii) cancel coverage;

1	(iii) refuse to issue the policy;
2	(iv) determine the price or premium for the policy; or
3	(v) otherwise vary a term or condition of the policy.
4	(B) As used in this subdivision (23):
5	(i) "Living donor" means an individual who is not deceased and
6	who has donated tissue or all or part of an organ, or both.
7	(ii) "Organ" means a human kidney, liver, heart, lung, pancreas,
8	esophagus, stomach, small or large intestine, a portion of the human
9	gastrointestinal tract, or another part of the human body designated by the
10	Commissioner as deemed appropriate.
11	(iii) "Tissue" means a portion of the human body other than an
12	organ, including an eye, skin, bone, bone marrow, a heart valve, a
13	spermatozoon, an ovum, an artery, a vein, a tendon, a ligament, blood, blood
14	derivatives, a pituitary gland, or fluid.
15	(C) This subdivision (23) shall apply to all insurance policies offered,
16	issued, or renewed on or after October 1, 2024.
17	Sec. 2. 21 V.S.A. § 471 is amended to read:
18	§ 471. DEFINITIONS
19	As used in this subchapter:
20	* * *

1	(5) <u>(A)</u> "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.