



SPONSOR: Sen. Lopez
Sen. S. McBride

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 218

1 AMEND Senate Bill No. 218 by deleting lines 7 through 16 in their entirety and inserting in lieu thereof the
2 following:

3 “a. It is an unlawful practice for a person to do any of the following solely on the basis of an individual’s
4 status as a living donor and without any unique and material actuarial risks in accordance with sound actuarial
5 principles and actual and reasonably anticipated and expected experience of the individual on the basis of the
6 individual’s status as a living organ donor:

7 1. Deny an insurance policy.

8 2. Cancel an insurance policy.

9 3. Refuse to issue an insurance policy.

10 4. Determine the process or premium for an insurance policy.

11 5. Otherwise vary a term or condition in an insurance policy.

12 b. It is an unlawful practice for a person to prohibit an individual from donating all or part of an organ or
13 tissue as a condition of receiving or continuing to receive an insurance policy.”.

14 FURTHER AMEND Senate Bill No. 218 on line 17 by deleting “b.” and inserting in lieu thereof “c.”.

15 FURTHER AMEND Senate Bill No. 218 on line 29 by deleting “c.” and inserting in lieu thereof “d.”.

SYNOPSIS

This Amendment permits insurers to consider an individual’s organ donation as part of their medical history in the underwriting process, without it being the sole basis for determining underwriting eligibility.

Author: Senator Lopez