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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 41  
133rd General Assembly

## Bill Analysis

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**Version:** As Introduced

**Primary Sponsors:** Reps. Hambley and Hicks

Yosef Schiff, Attorney

### Summary

- Prohibits life, disability, and long-term care insurers from discriminating against living organ donors.

### Detailed Analysis

The bill prohibits an insurer from discriminating against a living organ donor in the offering, issuance, price, 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 bill authorizes the Superintendent to adopt rules as necessary to carry out the bill's requirements.<sup>2</sup>

### History

Action	Date
Introduced	02-12-19

H0041-I-133/ts

<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 bill.