



# HOUSE COMMITTEE ON APPROPRIATIONS

## FISCAL NOTE

HOUSE BILL NO. 203

PRINTERS NO. 239

PRIME SPONSOR: Toohil

### COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	\$0	\$0

#### SUMMARY:

House Bill 203 creates a new freestanding act to be known as the Living Donor Protection Act. It would take effect in 60 days.

#### ANALYSIS:

The Living Donor Protection Act as contained in HB 203 requires the Department of Health (DOH) to develop informational materials relating to living donors and the live donation of organs and tissue. As detailed in the legislation, these materials must, at a minimum, cover the following topics: the benefits of live organ and tissue donation; the impact of such donations on a living donor's access to insurance and assistance; state tax benefits granted to a living donor; and protections granted to living donors under this legislation and other laws. These informational materials must be distributed in printed form upon request, posted on the DOH website, and updated periodically.

House Bill 203 also places certain requirements on insurance companies in Pennsylvania by prohibiting them from declining coverage or limiting coverage for an individual based solely upon the individual's status as a living donor. The sole exception allows an insurer to decline to issue a life insurance policy to an applicant with a scheduled donation until the applicant is released without complication by the surgeon to the care of the applicant's primary care physician. Finally, this legislation does not require an insurance policy to include coverage of organ donation. A violation of these requirements by an insurance company would be considered an unfair or deceptive act under the Unfair Insurance Practices Act.

#### FISCAL IMPACT:

Enactment of this legislation will have no adverse impact on Commonwealth funds.

**PREPARED BY:** Jeff Miller  
House Appropriations Committee (R)

**DATE:** February 4, 2021

*Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*