

Department of Planning and Budget
2020 Fiscal Impact Statement

1. Bill Number: SB846ER

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Pillion

3. Committee: Passed both Houses.

4. Title: Organ, eye, or tissue transplantation; discrimination prohibited.

5. Summary: Provides that an individual who is a candidate to receive an anatomical gift for organ, eye, or tissue transplantation and who is otherwise eligible to receive such gift shall not be deemed ineligible to receive an anatomical gift or denied services related to organ, eye, or tissue transplantation solely because of his physical, intellectual, developmental, or other disability.

The bill also prohibits each insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis; each corporation providing individual or group accident and sickness subscription contracts; and each health maintenance organization providing a health care plan for health care services, whose policy, contract, or plan, including any certificate of evidence of coverage issued in connection with such policy, contract, or plan, includes coverage for services related to organ, eye, or tissue transplantation, including referral to a transplant center or specialist, inclusion on an organ, eye, or tissue transplantation waiting list, evaluation, surgery and related health care services, counseling, and post-transplantation treatment and services, from (i) denying coverage to a covered person solely on the basis of the person's disability; (ii) denying a person eligibility or continued eligibility to enroll or to renew coverage under the policy, contract, or plan for the purpose of avoiding the requirements of the bill; (iii) penalizing a health care provider, reducing or limiting the reimbursement of a health care provider, or providing monetary or nonmonetary incentives to a health care provider to induce such health care provider to act in a manner inconsistent with the requirements of the bill; or (iv) reducing or limiting coverage for services related to organ, eye, or tissue transplantation, including referral to a transplant center or specialist, inclusion on an organ, eye, or tissue transplantation waiting list, evaluation, surgery and related health care services, counseling, and post-transplantation treatment and services. The bill applies to any such policy, contract, or plan delivered, issued for delivery, or renewed in the Commonwealth on and after January 1, 2021.

6. Budget Amendment Necessary: No.

7. No Fiscal Impact.

8. Fiscal Implications: This bill would not have a fiscal impact on the Commonwealth, the Department of Health, the State Corporation Commission, or the Department of Medical Assistance Services.

9. Specific Agency or Political Subdivisions Affected: None.

10. Technical Amendment Necessary: No.

11. Other Comments: HB1273, introduced by Delegate O'Quinn, is a companion bill.