

THE INSURANCE CODE OF 1956 (EXCERPT)
Act 218 of 1956

500.3901a Long-term care insurance policies; discrimination against living donors; prohibition; definitions.

Sec. 3901a.

(1) This section applies to all long-term care insurance policies or certificates delivered or issued for delivery after December 31, 2023.

(2) Unless there is an additional actuarial risk, as determined in accordance with sound actuarial principles as well as the individual's actual and reasonably anticipated experience, an insurer shall not do any of the following with respect to a long-term care insurance policy or certificate based solely on the individual's status as a living donor:

- (a) Deny coverage.
- (b) Cancel coverage.
- (c) Refuse to issue the policy or certificate.
- (d) Determine the price or premium for the policy or certificate.
- (e) Otherwise vary a term or condition of the policy or certificate.

(3) As used in this section:

(a) "Living donor" means an individual who is not deceased and has donated any of the following:

- (i) All or part of an organ.
- (ii) A tissue.

(b) "Organ" means a human kidney, liver, heart, lung, pancreas, esophagus, stomach, or small or large intestine, a portion of the gastrointestinal tract, or another part of the human body designated by the department by rule.

(c) "Tissue" means a portion of the human body other than an organ, including, but not limited to, an eye, skin, bone, bone marrow, a heart valve, a spermatozoon, an ova, an artery, a vein, a tendon, a ligament, blood, blood derivatives, a pituitary gland, or fluid.

History: Add. 2023, Act 192, Imd. Eff. Nov. 7, 2023

Popular Name: Act 218