

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

500.3406z[1] Disability insurance policies; discrimination against living donors; prohibition; definitions.

Sec. 3406z.

(1) This section applies to disability 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 disability 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 human 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

Compiler's Notes: Section 3406z, as added by Act 192 of 2023, was compiled as 500.3406z[1] to distinguish it from another section 3406z, deriving from Act 159 of 2023 and pertaining to a prohibition on lifetime and annual dollar limits.

Popular Name: Act 218