

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2045**

By Delegate Burkhammer

[Introduced February 12, 2025; referred  
to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §33-57-2, relating to health insurance for living organ donors; prohibiting  
3 certain actions; and defining terms.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 57. REQUIRED COVERAGE FOR HEALTH INSURANCE.**

**§33-57-2. Prohibition on denial of coverage, increase in premiums, or cancellation of  
sickness, disability, or long-term care insurance for living organ donors.**

1 (a) For purposes of this section, the term "living organ donor" means an individual who has  
2 donated all or part of an organ and is not deceased.

3 (b) Notwithstanding the provisions of §33-1-1 et seq., an insurer subject to §33-15-1 et  
4 seq., §33-16-1 et seq., §33-24-1 et seq., §33-25-1 et seq., or §33-25A-1 et seq. which issues or  
5 renews a health insurance policy on or after July 1, 2025, may not:

6 (1) Decline or limit coverage of a person under any sickness, disability, or long-term care  
7 insurance policy solely due to the status of such person as a living organ donor;

8 (2) Preclude an insured from donating all or part of an organ as a condition of continuing to  
9 receive a sickness, disability, or long-term care insurance policy; or

10 (3) Otherwise discriminate in the offering, issuance, cancellation, amount of such  
11 coverage, price, or any other condition of a sickness, disability, or long-term care insurance policy  
12 for a person, based solely and without any additional actuarial risks upon the status of such person  
13 as a living organ donor.

NOTE: The purpose of this bill is to prohibit the denial, cancellation, or other discrimination in policies of life insurance, sickness, disability, or long-term care insurance due to the status of the insured as a living organ donor.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.