

House Engrossed

forced organ harvesting; insurance; prohibition

State of Arizona
House
Fifty-seventh Legislature
First Regular Session
2025

CHAPTER 130

HOUSE BILL 2109

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-826.05; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.20; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1342.08; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1404.06; AMENDING TITLE 36, CHAPTER 29, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2907.16; RELATING TO HEALTH INSURANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 4, article 3, Arizona Revised
3 Statutes, is amended by adding section 20-826.05, to read:

4 20-826.05. Organ harvesting; insurance coverage limitations

5 A. A SUBSCRIPTION CONTRACT MAY LIMIT COVERAGE TO A SUBSCRIBER FOR A
6 HUMAN ORGAN TRANSPLANT OR POST-TRANSPLANT CARE IF EITHER OF THE FOLLOWING
7 APPLIES:

8 1. THE TRANSPLANT OPERATION IS PERFORMED IN THE PEOPLE'S REPUBLIC
9 OF CHINA OR THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

10 2. THE HUMAN ORGAN TO BE TRANSPLANTED WAS PROCURED BY A SALE OR
11 DONATION ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA OR THE HONG KONG
12 SPECIAL ADMINISTRATIVE REGION.

13 B. THIS SECTION DOES NOT:

14 1. REQUIRE COVERAGE FOR HUMAN ORGAN TRANSPLANTS.

15 2. LIMIT A HOSPITAL SERVICE CORPORATION OR MEDICAL SERVICE
16 CORPORATION FROM DENYING COVERAGE FOR ANY VALID REASON.

17 Sec. 2. Title 20, chapter 4, article 9, Arizona Revised Statutes,
18 is amended by adding section 20-1057.20, to read:

19 20-1057.20. Organ harvesting; insurance coverage limitations

20 A. AN EVIDENCE OF COVERAGE MAY LIMIT COVERAGE TO AN ENROLLEE FOR
21 THE HUMAN ORGAN TRANSPLANT OR POST-TRANSPLANT CARE IF EITHER OF THE
22 FOLLOWING APPLIES:

23 1. THE TRANSPLANT OPERATION IS PERFORMED IN THE PEOPLE'S REPUBLIC
24 OF CHINA OR THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

25 2. THE HUMAN ORGAN TO BE TRANSPLANTED WAS PROCURED BY A SALE OR
26 DONATION ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA OR THE HONG KONG
27 SPECIAL ADMINISTRATIVE REGION.

28 B. THIS SECTION DOES NOT:

29 1. REQUIRE COVERAGE FOR HUMAN ORGAN TRANSPLANTS.

30 2. LIMIT A HEALTH CARE SERVICES ORGANIZATION FROM DENYING COVERAGE
31 FOR ANY VALID REASON.

32 Sec. 3. Title 20, chapter 6, article 4, Arizona Revised Statutes,
33 is amended by adding section 20-1342.08, to read:

34 20-1342.08. Organ harvesting; insurance coverage limitations

35 A. A DISABILITY INSURANCE POLICY MAY LIMIT COVERAGE TO AN INSURED
36 FOR A HUMAN ORGAN TRANSPLANT OR POST-TRANSPLANT CARE IF EITHER OF THE
37 FOLLOWING APPLIES:

38 1. THE TRANSPLANT OPERATION IS PERFORMED IN THE PEOPLE'S REPUBLIC
39 OF CHINA OR THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

40 2. THE HUMAN ORGAN TO BE TRANSPLANTED WAS PROCURED BY A SALE OR
41 DONATION ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA OR THE HONG KONG
42 SPECIAL ADMINISTRATIVE REGION.

43 B. THIS SECTION DOES NOT:

44 1. REQUIRE COVERAGE FOR HUMAN ORGAN TRANSPLANTS.

1 2. LIMIT A DISABILITY INSURER FROM DENYING COVERAGE FOR ANY VALID
2 REASON.

3 Sec. 4. Title 20, chapter 6, article 5, Arizona Revised Statutes,
4 is amended by adding section 20-1404.06, to read:

5 20-1404.06. Organ harvesting; insurance coverage limitations

6 A. A GROUP OR BLANKET DISABILITY INSURANCE POLICY MAY LIMIT
7 COVERAGE TO AN INSURED FOR A HUMAN ORGAN TRANSPLANT OR POST-TRANSPLANT
8 CARE IF EITHER OF THE FOLLOWING APPLIES:

9 1. THE TRANSPLANT OPERATION IS PERFORMED IN THE PEOPLE'S REPUBLIC
10 OF CHINA OR THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

11 2. THE HUMAN ORGAN TO BE TRANSPLANTED WAS PROCURED BY A SALE OR
12 DONATION ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA OR THE HONG KONG
13 SPECIAL ADMINISTRATIVE REGION.

14 B. THIS SECTION DOES NOT:

15 1. REQUIRE COVERAGE FOR HUMAN ORGAN TRANSPLANTS.

16 2. LIMIT A GROUP OR BLANKET DISABILITY INSURER FROM DENYING
17 COVERAGE FOR ANY VALID REASON.

18 Sec. 5. Title 36, chapter 29, article 1, Arizona Revised Statutes,
19 is amended by adding section 36-2907.16, to read:

20 36-2907.16. Organ harvesting; insurance coverage limitations

21 A. SUBJECT TO THE APPROVAL OF THE CENTERS FOR MEDICARE AND MEDICAID
22 SERVICES, THE ADMINISTRATION MAY LIMIT COVERAGE TO A MEMBER FOR A HUMAN
23 ORGAN TRANSPLANT OR POST-TRANSPLANT CARE IF EITHER OF THE FOLLOWING
24 APPLIES:

25 1. THE TRANSPLANT OPERATION IS PERFORMED IN THE PEOPLE'S REPUBLIC
26 OF CHINA OR THE HONG KONG SPECIAL ADMINISTRATIVE REGION.

27 2. THE HUMAN ORGAN TO BE TRANSPLANTED WAS PROCURED BY A SALE OR
28 DONATION ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA OR THE HONG KONG
29 SPECIAL ADMINISTRATIVE REGION.

30 B. THIS SECTION DOES NOT:

31 1. REQUIRE COVERAGE FOR HUMAN ORGAN TRANSPLANTS.

32 2. LIMIT THE ADMINISTRATION FROM DENYING COVERAGE FOR ANY VALID
33 REASON.

34 Sec. 6. Short title

35 This act may be cited as the "Arizona End Organ Harvesting Act".

APPROVED BY THE GOVERNOR MAY 6, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 6, 2025.