



128 Dorrance Street, Suite 400  
Providence, RI 02903  
Phone: (401) 831-7171  
Fax: (401) 831-7175  
[www.riaclu.org](http://www.riaclu.org)  
[info@riaclu.org](mailto:info@riaclu.org)

## **ACLU OF RI POSITION: SUPPORT**

### **TESTIMONY ON 23-H 5489, RELATING TO UNFAIR DISCRIMINATION AGAINST ORGAN DONORS March 8, 2023**

The ACLU of RI supports this bill, which would prohibit insurers from denying life, disability income and long-term care disability insurance on the basis of individual's status as a "living donor." We note that a number of other states have passed similar legislation in recent years, and Rhode Island should join that list.

The need for organ donors remains very high in this state and country. The fear of being subject to higher rates or even denial of insurance based on the altruistic act of serving as an organ donor simply should not exist. The bill allows insurers to make individualized decisions based on sound actuarial principles, and that should be sufficient protection for them, and obviates any need to discriminate against organ donors as a class.

Passage of this legislation will help not only the organ donors but, just as importantly, the individuals who will end up receiving those organs from a transplant that might not otherwise have been available without this law's protection.

We do wish to point out one inconsistency in the bill, however. The bill's explanation states that it prohibits insurers from "denying life and *health insurance*." However, the language of the bill itself does not cover health insurance, although we would encourage it to do so.