

# SB3508



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB3508

Introduced 2/9/2024, by Sen. Jason Plummer

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the End Organ Harvesting Act. Provides that a health benefit plan issuer may not cover a human organ transplant or post-transplant care if: (1) the transplant operation is performed in the People's Republic of China or another country known to have participated in forced organ harvesting, as designated by the Director of Public Health; or (2) the human organ to be transplanted was procured by sale or donation originating in the People's Republic of China or another country known to have participated in forced organ harvesting, as designated by the Director of Public Health. Provides that the Director of Public Health may designate additional countries with governments that fund, sponsor, or otherwise facilitate forced organ harvesting and shall provide written notice to the Secretary of Human Services and the Director of Insurance when the Director of Public Health designates an additional country. Defines "forced organ harvesting". Sets forth provisions concerning applicability and severability.

LRB103 39063 RPS 69200 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the End  
5 Organ Harvesting Act.

6 Section 3. Purpose. The purpose of this Act is to combat  
7 the practice of forcibly harvesting organs from living persons  
8 for transplant without free, voluntary consent; bring  
9 awareness to China's state-sanctioned practice of forced organ  
10 harvesting of prisoners of conscience and other vulnerable  
11 persons; and prevent residents of this State from unknowingly  
12 involving themselves in forced organ harvesting.

13 Section 5. Definition. In this Act, "forced organ  
14 harvesting" means the removal of one or more organs from a  
15 living person, or a person killed for the purpose of removal of  
16 one or more organs, by means of coercion, abduction,  
17 deception, fraud, or abuse of power or a position of  
18 vulnerability.

19 Section 10. Applicability.

20 (a) This Act only applies to a health benefit plan that  
21 provides benefits for medical or surgical expenses incurred as

1 a result of a health condition, accident, or sickness,  
2 including an individual, group, blanket, or franchise  
3 insurance policy or insurance agreement, a group hospital  
4 service contract, or an individual group evidence of coverage  
5 or similar coverage document that is offered by:

6 (1) an insurance company;

7 (2) a group hospital service corporation;

8 (3) a health maintenance organization operating under  
9 the Health Maintenance Organization Act;

10 (4) an approved nonprofit health corporation that  
11 holds a certificate of authority;

12 (5) a multiple employer welfare arrangement that holds  
13 a certificate of authority;

14 (6) a stipulated premium company;

15 (7) a fraternal benefit society operating under  
16 Article XXVII of the Illinois Insurance Code;

17 (8) a domestic Lloyds, foreign Lloyds, or alien Lloyds  
18 that holds a certificate of authority under Article V of  
19 the Illinois Insurance Code; or

20 (9) an exchange operating under the Illinois Health  
21 Benefits Exchange Law.

22 (b) Notwithstanding any other law, this Act applies to:

23 (1) an individual or group policy of accident and  
24 health insurance issued under the Illinois Insurance Code;

25 (2) health benefits under the State Employees Group  
26 Insurance Act of 1971, the Counties Code, the Illinois

1 Municipal Code, the School Code, the Health Maintenance  
2 Organization Act, the Limited Health Service Organization  
3 Act, and the Voluntary Health Services Plans Act;

4 (3) the program of health benefits under Article V of  
5 the Illinois Public Aid Code; and

6 (4) the Children's Health Insurance Program.

7 Section 15. Coverage prohibited.

8 (a) A health benefit plan issuer may not cover a human  
9 organ transplant or post-transplant care if:

10 (1) the transplant operation is performed in the  
11 People's Republic of China or another country known to  
12 have participated in forced organ harvesting, as  
13 designated by the Director of Public Health; or

14 (2) the human organ to be transplanted was procured by  
15 sale or donation originating in the People's Republic of  
16 China or another country known to have participated in  
17 forced organ harvesting, as designated by the Director of  
18 Public Health.

19 (b) The Director of Public Health may designate additional  
20 countries with governments that fund, sponsor, or otherwise  
21 facilitate forced organ harvesting and shall provide written  
22 notice to the Secretary of Human Services and the Director of  
23 Insurance when the Director of Public Health designates an  
24 additional country.

1           Section 97. Severability. The provisions of this Act are  
2           severable under Section 1.31 of the Statute on Statutes.