

Calendar No. 352

119TH CONGRESS
2D SESSION

S. 1552

To promote and protect from discrimination living organ donors.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2025

Mr. COTTON (for himself, Mrs. GILLIBRAND, Mrs. HYDE-SMITH, Mr. LUJÁN, Mrs. CAPITO, Mr. KING, Mr. BLUMENTHAL, Mr. KAINE, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. COONS, Mrs. BLACKBURN, Mr. RICKETTS, Mr. TILLIS, Mr. DURBIN, Mrs. SHAHEEN, Ms. SMITH, Mr. WYDEN, Mr. KELLY, Ms. ROSEN, Mr. WARNOCK, Mr. KIM, Mr. PETERS, Mr. BOOKER, Mr. MURPHY, Mr. BOOZMAN, Mr. GALLEG0, Mr. JUSTICE, Mr. DAINES, Ms. COLLINS, Mr. BENNET, Mr. KENNEDY, Ms. ALSOBROOKS, Mr. CRAMER, Mr. SCHIFF, Mr. SHEEHY, Ms. SLOTKIN, Mr. MARSHALL, Ms. DUCKWORTH, Mr. TUBERVILLE, Ms. MURKOWSKI, Mr. YOUNG, Mr. VAN HOLLEN, Mr. BANKS, and Mr. PADILLA) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

MARCH 11, 2026

Reported by Mr. CASSIDY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To promote and protect from discrimination living organ donors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Living Donor Protec-
3 tion Act of 2025”.

4 **SEC. 2. PROHIBITION ON DENIAL OF COVERAGE OR IN-**
5 **CREASE IN PREMIUMS OF LIFE OR DIS-**
6 **ABILITY INSURANCE FOR LIVING ORGAN DO-**
7 **NORS.**

8 (a) **PROHIBITION.**—Notwithstanding any other provi-
9 sion of law, an insurer shall not deny coverage, cancel cov-
10 erage, refuse to issue, determine the price or premium for,
11 or otherwise vary any term or condition of a life insurance
12 policy, disability insurance policy, or long-term care insur-
13 ance policy for a person based solely, and without any ac-
14 tual, unique, and material actuarial risks, on the status
15 of such person as a living organ donor.

16 (b) **ENFORCEMENT.**—A State insurance regulator
17 may take such actions to enforce subsection (a) as are spe-
18 cifically authorized under the laws of such State.

19 (c) **DEFINITIONS.**—In this section:

20 (1) **DISABILITY INSURANCE POLICY.**—The term
21 “disability insurance policy” means a contract under
22 which an entity promises to pay a person a sum of
23 money in the event that an illness or injury resulting
24 in a disability prevents such person from working.

25 (2) **LIFE INSURANCE POLICY.**—The term “life
26 insurance policy” means a contract under which an

1 entity promises to pay a designated beneficiary a
2 sum of money upon the death of the insured.

3 ~~(3) LIVING ORGAN DONOR.—~~The term “living
4 organ donor” means an individual who has donated
5 all or part of an organ and is not deceased.

6 ~~(4) LONG-TERM CARE INSURANCE POLICY.—~~
7 The term “long-term care insurance policy” means
8 a contract for which the only insurance protection
9 provided under the contract is coverage of qualified
10 long-term care services (as defined in section
11 7702B(e) of the Internal Revenue Code of 1986).

12 **SEC. 3. CLARIFICATION OF ORGAN DONATION SURGERY AS**
13 **QUALIFYING AS A SERIOUS HEALTH CONDI-**
14 **TION UNDER FMLA.**

15 ~~(a) PRIVATE SECTOR EMPLOYEES.—~~Section 101(11)
16 of the Family and Medical Leave Act of 1993 (29 U.S.C.
17 2611(11)) is amended, in the matter preceding subpara-
18 graph (A), by inserting “(including recovery from surgery
19 related to organ donation)” after “physical or mental con-
20 dition”.

21 ~~(b) FEDERAL CIVIL SERVICE EMPLOYEES.—~~

22 ~~(1) DEFINITION.—~~Section 6381(5) of title 5,
23 United States Code, is amended, in the matter pre-
24 ceding subparagraph (A), by inserting “(including

recovery from surgery related to organ donation)”
after “physical or mental condition”.

~~(2) RELATIONSHIP TO ORGAN DONOR LEAVE.—~~

Section 6382(d)(1) of title 5, United States Code, is
amended by adding at the end the following: “An
employee who takes any part of the 12-week period
of leave under subsection (a)(1) to serve as an organ
donor (including recovery from surgery related to
organ donation) may elect to substitute, for as much
of that part as possible, any leave available to the
employee under section 6327.”.

**SEC. 4. UPDATING OF EDUCATIONAL MATERIALS ON THE
BENEFITS AND RISKS OF LIVING ORGAN DO-
NATION.**

~~(a) EDUCATIONAL MATERIALS.—~~

~~(1) REVIEW AND UPDATING.—~~Not later than 6
months after the date of enactment of this Act, the
Secretary of Health and Human Services (in this
section referred to as the “Secretary”) shall review
and update materials related to living organ dona-
tion in order to educate the public on—

~~(A) the benefits and risks of living organ
donation; and~~

~~(B) the impact of living organ donation on
the access of a living organ donor to insurance.~~

1 ~~(2) INFORMATION ON STATUTORY CHANGES.—~~

2 Such updating shall include information regarding
3 the requirements under section 2 and the amend-
4 ments made by section 3.

5 ~~(b) METHODS OF UPDATING.—~~In carrying out sub-
6 section (a), the Secretary shall update, as appropriate—

7 ~~(1)~~ public service announcements previously
8 provided by the Secretary;

9 ~~(2)~~ publicly accessible websites (such as
10 organdonor.gov, or a successor website) that are
11 maintained by the Secretary and that contain infor-
12 mation and resources regarding living organ dona-
13 tion; and

14 ~~(3)~~ other media, as the Secretary determines
15 appropriate.

16 **SECTION 1. SHORT TITLE.**

17 *This Act may be cited as the “Living Donor Protection*
18 *Act of 2025”.*

19 **SEC. 2. PROHIBITION ON DENIAL OF COVERAGE OR IN-**
20 **CREASE IN PREMIUMS OF LIFE OR DIS-**
21 **ABILITY INSURANCE FOR LIVING ORGAN DO-**
22 **NORS.**

23 ~~(a) PROHIBITION.—~~*Notwithstanding any other provi-*
24 *sion of law, an insurer shall not deny coverage, cancel cov-*
25 *erage, refuse to issue, determine the price or premium for,*

1 *or otherwise vary any term or condition of a life insurance*
 2 *policy, disability insurance policy, or long-term care insur-*
 3 *ance policy for a person based solely, and without any ac-*
 4 *tual, unique, and material actuarial risks, on the status*
 5 *of such person as a living organ donor.*

6 (b) *ENFORCEMENT.*—*A State insurance regulator may*
 7 *take such actions to enforce subsection (a) as are specifically*
 8 *authorized under the laws of such State.*

9 (c) *DEFINITIONS.*—*In this section:*

10 (1) *DISABILITY INSURANCE POLICY.*—*The term*
 11 *“disability insurance policy” means a contract under*
 12 *which an entity promises to pay a person a sum of*
 13 *money in the event that an illness or injury resulting*
 14 *in a disability prevents such person from working.*

15 (2) *LIFE INSURANCE POLICY.*—*The term “life in-*
 16 *surance policy” means a contract under which an en-*
 17 *tity promises to pay a designated beneficiary a sum*
 18 *of money upon the death of the insured.*

19 (3) *LIVING ORGAN DONOR.*—*The term “living*
 20 *organ donor” means an individual who has donated*
 21 *all or part of a human organ (as defined in section*
 22 *301(c)(1) of the National Organ Transplant Act (42*
 23 *U.S.C. 274e(c)(1))) or bone marrow (as defined in*
 24 *section 379A–1(2) of the Public Health Service Act*
 25 *(42 U.S.C. 274l–1(2))) and is not deceased.*

1 (4) *LONG-TERM CARE INSURANCE POLICY.*—The
 2 term “long-term care insurance policy” means a con-
 3 tract for which the only insurance protection provided
 4 under the contract is coverage of qualified long-term
 5 care services (as defined in section 7702B(c) of the In-
 6 ternal Revenue Code of 1986).

7 **SEC. 3. CLARIFICATION OF ORGAN DONATION SURGERY AS**
 8 **QUALIFYING AS A SERIOUS HEALTH CONDI-**
 9 **TION UNDER FMLA.**

10 (a) *PRIVATE SECTOR AND CERTAIN PUBLIC SECTOR*
 11 *EMPLOYEES.*—Section 101(11) of the Family and Medical
 12 Leave Act of 1993 (29 U.S.C. 2611(11)) is amended, in the
 13 matter preceding subparagraph (A), by inserting “(includ-
 14 ing organ donation, preparation for and recovery from sur-
 15 gery related to organ donation, and other activities related
 16 to organ donation)” after “physical or mental condition”.

17 (b) *FEDERAL CIVIL SERVICE EMPLOYEES.*—

18 (1) *DEFINITION.*—Section 6381(5) of title 5,
 19 United States Code, is amended, in the matter pre-
 20 ceding subparagraph (A), by inserting “(including
 21 organ donation, preparation for and recovery from
 22 surgery related to organ donation, and other activities
 23 related to organ donation)” after “physical or mental
 24 condition”.

1 (2) *RELATIONSHIP TO ORGAN DONOR LEAVE.*—
 2 *Section 6382(d)(1) of title 5, United States Code, is*
 3 *amended by adding at the end the following: “An em-*
 4 *ployee who takes any part of the 12-week period of*
 5 *leave under subsection (a)(1) to serve as an organ*
 6 *donor (including recovery from surgery related to*
 7 *organ donation) may elect to substitute, for as much*
 8 *of that part as possible, any leave available to the em-*
 9 *ployee under section 6327(b)(2).”.*

10 **SEC. 4. UPDATING OF EDUCATIONAL MATERIALS ON LIVING**
 11 **ORGAN DONATION.**

12 (a) *EDUCATIONAL ACTIVITIES AND MATERIALS.*—*Not*
 13 *later than 6 months after the date of enactment of this Act,*
 14 *the Secretary of Health and Human Services (in this sec-*
 15 *tion referred to as the “Secretary”), in coordination with*
 16 *the Secretary of Labor, as appropriate, shall review the edu-*
 17 *cational activities and materials pursuant to section 377A*
 18 *of the Public Health Service Act (42 U.S.C. 274f–1), and*
 19 *update such activities and materials to include information*
 20 *regarding the requirements under section 2 and the amend-*
 21 *ments made by section 3.*

22 (b) *OUTREACH.*—*In carrying out subsection (a), the*
 23 *Secretary may, as appropriate, issue public service an-*
 24 *nouncements or update any publicly accessible websites or*

- 1 *other media maintained by the Secretary that contain in-*
- 2 *formation and resources regarding living organ donation.*

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