
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL
EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE INFERTILITY
PROCEDURE COVERAGE.

1 WHEREAS, infertility is a disease of the reproductive
2 system that impairs one of the body's most basic functions: the
3 conception of children; and
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5 WHEREAS, in the United States, infertility affects about
6 7.3 million women and their partners, approximately twelve
7 percent of the reproductive age population, or one in eight
8 couples; and
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10 WHEREAS, most infertility cases - eighty-five to ninety
11 percent - are treated with conventional medical therapies such
12 as medication or surgery; and
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14 WHEREAS, since 1978, assisted reproductive technology, and
15 most commonly in vitro fertilization, has provided another
16 solution for many would-be parents; and
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18 WHEREAS, while vital for some patients, in vitro
19 fertilization and similar treatments account for less than three
20 percent of infertility services, and about seven-hundredths of
21 one percent (0.07 percent) of health care costs in the United
22 States; and
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24 WHEREAS, since 1987, Hawaii has required insurance coverage
25 for the treatment of infertility through in vitro fertilization
26 under certain qualifying conditions; and
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28 WHEREAS, the current law has a number of shortcomings, as
29 it covers only one form of assisted reproductive technologies,
30 in vitro fertilization; provides a one-time only benefit;
31 applies only to an insured's covered spouse; requires
32 fertilization with sperm from the patient's spouse; requires a



1 history of infertility of at least five years; and applies only
2 to a limited number of medical conditions associated with
3 infertility; and
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5 WHEREAS, for those couples who do not meet these
6 requirements - whether for medical or other reasons - the
7 assisted reproductive technologies not covered under the current
8 law may cost \$15,000 to \$20,000 per procedure, and must often be
9 repeated before a successful live birth; and
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11 WHEREAS, in the nearly twenty-five years since the
12 enactment of the Hawaii law requiring coverage of in vitro
13 fertilization, there have been substantial changes and
14 improvements in assisted reproductive technologies, which could
15 provide couples in Hawaii with additional treatment options
16 appropriate for their specific infertility diagnosis; and
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18 WHEREAS, section 23-51, Hawaii Revised Statutes, requires
19 that "[b]efore any legislative measure that mandates health
20 insurance coverage for specific health services, specific
21 diseases, or certain providers of health care services as part
22 of individual or group health insurance policies, can be
23 considered, there shall be concurrent resolutions passed
24 requesting the auditor to prepare and submit to the legislature
25 a report that assesses both the social and financial effects of
26 the proposed mandated coverage"; and
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28 WHEREAS, section 23-51, Hawaii Revised Statutes, further
29 provides that "[t]he concurrent resolutions shall designate a
30 specific legislative bill that:
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- 32 (1) Has been introduced in the legislature; and
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34 (2) Includes, at minimum, information identifying the:
35
36 (A) Specific health service, disease, or provider
37 that would be covered;
38
39 (B) Extent of the coverage;
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41 (C) Target groups that would be covered;
42
43 (D) Limits on utilization, if any; and
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1 (E) Standards of care.
2

3 For purposes of this part, mandated health insurance coverage
4 shall not include mandated optionals"; and
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6 WHEREAS, section 23-52, Hawaii Revised Statutes, further
7 specifies the minimum information required for assessing the
8 social and financial impact of the proposed health coverage
9 mandate in the Auditor's report; and
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11 WHEREAS, S.B. No. 615, S.D. 1, mandates infertility
12 procedure coverage for all individual and group accident and
13 health or sickness insurance policies that provide pregnancy-
14 related benefits, effective July 1, 2011; and
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16 WHEREAS, the Legislature believes that infertility
17 procedure coverage, as provided in S.B. No. 615, S.D. 1, will
18 provide the people of Hawaii with expanded treatment options for
19 assisted reproductive technologies that are appropriate for the
20 specific infertility diagnosis of a patient and that will assist
21 in ensuring adequate and affordable health care services for the
22 people of this State; now, therefore,
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24 BE IT RESOLVED by the House of Representatives of the
25 Twenty-sixth Legislature of the State of Hawaii, Regular Session
26 of 2011, the Senate concurring, that the Auditor is requested to
27 conduct an impact assessment report, pursuant to sections 23-51
28 and 23-52, Hawaii Revised Statutes, of the social and financial
29 impacts of mandating infertility procedure coverage for all
30 individual and group accident and health or sickness insurance
31 policies that provide pregnancy-related benefits, effective
32 July 1, 2011, as provided in S.B. No. 615, S.D. 1; and
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34 BE IT FURTHER RESOLVED that the Auditor is requested to
35 submit findings and recommendations to the Legislature,
36 including any necessary implementing legislation, no later than
37 twenty days prior to the convening of the Regular Session of
38 2012; and
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1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Auditor and to the
3 Insurance Commissioner, who, in turn, is requested to transmit
4 copies to each insurer in the State that issues health insurance
5 policies.

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OFFERED BY:

Tom Brown

MAR 14 2011

