

MAR 15 2011

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# SENATE 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  
13

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  
17

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  
23

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  
27

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

4  
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

10  
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

17  
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

27  
28 WHEREAS, section 23-51, Hawaii Revised Statutes, further  
29 provides that "[t]he concurrent resolutions shall designate a  
30 specific legislative bill that:

- 31  
32 (1) Has been introduced in the legislature; and  
33  
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;  
40  
41 (C) Target groups that would be covered;  
42  
43 (D) Limits on utilization, if any; and  
44



1 (E) Standards of care.

2  
3 For purposes of this part, mandated health insurance coverage  
4 shall not include mandated optionals"; and  
5

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  
15

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,  
23

24 BE IT RESOLVED by the Senate of the Twenty-sixth  
25 Legislature of the State of Hawaii, Regular Session of 2011, the  
26 House of Representatives concurring, that the Auditor is  
27 requested to conduct an impact assessment report, pursuant to  
28 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social  
29 and financial impacts of mandating infertility procedure  
30 coverage for all individual and group accident and health or  
31 sickness insurance policies that provide pregnancy-related  
32 benefits, effective July 1, 2011, as provided in S.B. No. 615,  
33 S.D. 1; and  
34

35 BE IT FURTHER RESOLVED that the Auditor is requested to  
36 submit findings and recommendations to the Legislature,  
37 including any necessary implementing legislation, no later than  
38 twenty days prior to the convening of the Regular Session of  
39 2012; and  
40

41 BE IT FURTHER RESOLVED that certified copies of this  
42 Concurrent Resolution be transmitted to the Auditor and to the  
43 Insurance Commissioner, who, in turn, is requested to transmit

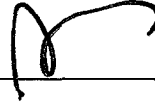


# S.C.R. NO. 92

1 copies to each insurer in the State that issues health insurance  
2 policies.

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OFFERED BY: \_\_\_\_\_

A handwritten signature in black ink, consisting of a stylized, cursive 'M' or similar character, positioned above a horizontal line.