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## A BILL FOR AN ACT

RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 431:10A-116.5, Hawaii Revised Statutes,  
2 is amended by amending subsection (a) to read as follows:

3           "(a) All individual and group accident and health or  
4 sickness insurance policies which provide pregnancy-related  
5 benefits shall include in addition to any other benefits for  
6 treating infertility, a one-time only benefit for all outpatient  
7 expenses arising from in vitro fertilization procedures  
8 performed on the insured or the insured's dependent spouse;  
9 provided that:

10           (1) Benefits under this section shall be provided to the  
11 same extent as the benefits provided for other  
12 pregnancy-related benefits;

13           (2) The patient is the insured or covered dependent of the  
14 insured;

15           (3) The patient's oocytes are fertilized with the  
16 patient's spouse's sperm;

17           (4) The:



- 1 (A) Patient and the patient's spouse have a history  
2 of infertility of at least five years' duration;  
3 or  
4 (B) Infertility is associated with one or more of the  
5 following medical conditions:  
6 (i) Endometriosis;  
7 (ii) Exposure in utero to diethylstilbestrol,  
8 commonly known as DES;  
9 (iii) Blockage of, or surgical removal of, one or  
10 both fallopian tubes (lateral or bilateral  
11 salpingectomy); or  
12 (iv) Abnormal male factors contributing to the  
13 infertility;
- 14 (5) The patient has been unable to attain a successful  
15 pregnancy through other applicable infertility  
16 treatments for which coverage is available under the  
17 insurance contract; and
- 18 (6) The in vitro fertilization procedures are performed at  
19 medical facilities that conform to the American  
20 College of [~~Obstetric and Gynecology~~] Obstetricians  
21 and Gynecologists guidelines for in vitro  
22 fertilization clinics or to the American Society for



1           Reproductive Medicine minimal standards for programs  
2           of in vitro fertilization."

3           SECTION 2. Section 432:1-604, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5           "(a) All individual and group hospital or medical service  
6 plan contracts which provide pregnancy-related benefits shall  
7 include in addition to any other benefits for treating  
8 infertility, a one-time only benefit for all outpatient expenses  
9 arising from in vitro fertilization procedures performed on the  
10 subscriber or member or the subscriber's or member's dependent  
11 spouse; provided that:

12           (1) Benefits under this section shall be provided to the  
13 same extent as the benefits provided for other  
14 pregnancy-related benefits;

15           (2) The patient is a subscriber or member or covered  
16 dependent of the subscriber or member;

17           (3) The patient's oocytes are fertilized with the  
18 patient's spouse's sperm;

19           (4) The:

20           (A) Patient and the patient's spouse have a history  
21 of infertility of at least five years' duration;

22           or



- 1 (B) Infertility is associated with one or more of the  
2 following medical conditions:
- 3 (i) Endometriosis;
  - 4 (ii) Exposure in utero to diethylstilbestrol,  
5 commonly known as DES;
  - 6 (iii) Blockage of, or surgical removal of, one or  
7 both fallopian tubes (lateral or bilateral  
8 salpingectomy); or
  - 9 (iv) Abnormal male factors contributing to the  
10 infertility;
- 11 (5) The patient has been unable to attain a successful  
12 pregnancy through other applicable infertility  
13 treatments for which coverage is available under the  
14 contract; and
- 15 (6) The in vitro fertilization procedures are performed at  
16 medical facilities that conform to the American  
17 College of [~~Obstetric and Gynecology~~] Obstetricians  
18 and Gynecologists guidelines for in vitro  
19 fertilization clinics or to the American Society for  
20 Reproductive Medicine minimal standards for programs  
21 of in vitro fertilization."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

4

INTRODUCED BY:



JAN 17 2013

**By Request**



# H.B. NO. 202

**Report Title:**

In Vitro Fertilization; Insurance Coverage

**Description:**

Amends references to the "American College of Obstetric and Gynecology" to "American College of Obstetricians and Gynecologists".

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