

---

## 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  
4

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  
9

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 of health care costs in the United States; and  
22

23           WHEREAS, since 1987, Hawaii has required insurance coverage  
24 for the treatment of infertility through in vitro fertilization  
25 under certain qualifying conditions; and  
26

27           WHEREAS, the current law has a number of shortcomings, as  
28 it covers only one form of assisted reproductive technologies,  
29 in vitro fertilization; provides a one-time only benefit;  
30 applies only to an insured's covered spouse; requires  
31 fertilization with sperm from the patient's spouse; requires a  
32 history of infertility of at least five years; and applies only



# H.C.R. NO. 76

1 to a limited number of medical conditions associated with  
2 infertility; and

3  
4 WHEREAS, for those couples who do not meet these  
5 requirements - whether for medical or other reasons - the  
6 assisted reproductive technologies not covered under the current  
7 law may cost \$15,000 to \$20,000 per procedure, and must often be  
8 repeated before a successful live birth; and

9  
10 WHEREAS, in the nearly twenty-five years since the  
11 enactment of the Hawaii law requiring coverage of in vitro  
12 fertilization, there have been substantial changes and  
13 improvements in assisted reproductive technologies, which could  
14 provide couples in Hawaii with additional treatment options  
15 appropriate for their specific infertility diagnosis; and

16  
17 WHEREAS, section 23-51, Hawaii Revised Statutes, requires  
18 that "[b]efore any legislative measure that mandates health  
19 insurance coverage for specific health services, specific  
20 diseases, or certain providers of health care services as part  
21 of individual or group health insurance policies, can be  
22 considered, there shall be concurrent resolutions passed  
23 requesting the auditor to prepare and submit to the legislature  
24 a report that assesses both the social and financial effects of  
25 the proposed mandated coverage"; and

26  
27 WHEREAS, section 23-51, Hawaii Revised Statutes, further  
28 provides that "[t]he concurrent resolutions shall designate a  
29 specific legislative bill that:

- 30
- 31 (1) Has been introduced in the legislature; and
  - 32
  - 33 (2) Includes, at minimum, information identifying the:
    - 34
    - 35 (A) Specific health service, disease, or provider
    - 36 that would be covered;
    - 37
    - 38 (B) Extent of the coverage;
    - 39
    - 40 (C) Target groups that would be covered;
    - 41
    - 42 (D) Limits on utilization, if any; and
    - 43
    - 44 (E) Standards of care.



1  
2 For purposes of this part, mandated health insurance coverage  
3 shall not include mandated optionals"; and  
4

5 WHEREAS, section 23-52, Hawaii Revised Statutes, further  
6 specifies the minimum information required for assessing the  
7 social and financial impact of the proposed health coverage  
8 mandate in the Auditor's report; and  
9

10 WHEREAS, S.B. No. , Regular Session of 2014, mandates a  
11 lifetime benefit of three in vitro fertilization cycles or a  
12 live birth for all outpatient expenses arising from in vitro  
13 fertilization procedures performed on the insured or insured's  
14 dependent, for all individual and group accident and health or  
15 sickness insurance policies that provide pregnancy-related  
16 benefits, effective July 1, 2014; and  
17

18 WHEREAS, the Legislature believes that infertility  
19 procedure coverage, as provided in S.B. No. , will provide  
20 the people of Hawaii with expanded treatment options for  
21 assisted reproductive technologies that are appropriate for the  
22 specific infertility diagnosis of a patient and that will assist  
23 in ensuring adequate and affordable health care services for the  
24 people of this State; now, therefore,  
25

26 BE IT RESOLVED by the House of Representatives of the  
27 Twenty-seventh Legislature of the State of Hawaii, Regular  
28 Session of 2014, the Senate concurring, that the Auditor is  
29 requested to conduct an impact assessment report, pursuant to  
30 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social  
31 and financial impacts of mandating infertility procedure  
32 coverage for all individual and group accident and health or  
33 sickness insurance policies that provide pregnancy-related  
34 benefits, effective July 1, 2014, as provided in S.B. No. ;  
35 and  
36

37 BE IT FURTHER RESOLVED that the Auditor is requested to  
38 submit findings and recommendations to the Legislature,  
39 including any necessary implementing legislation, no later than  
40 twenty days prior to the convening of the Regular Session of  
41 2015; and  
42

43 BE IT FURTHER RESOLVED that certified copies of this  
44 Concurrent Resolution be transmitted to the Auditor and to the



# H.C.R. NO. 76

1 Insurance Commissioner, who, in turn, is requested to transmit  
 2 copies to each insurer in the State that issues health insurance  
 3 policies.

4  
 5  
 6

OFFERED BY:

*[Signature]*

*Tom Brown*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*Cindy Evans*

*[Signature]*

*[Signature]*

*Allen A. Peltz*

*Jindalchizama*

*[Signature]*

*Gertie Thicker*

*[Signature]*

*Karen Curran*

*[Signature]*

*Jessica Dooly*

*[Signature]*

*[Signature]*

*Nicole E. [Signature]*

*Jakobi [Signature]*

