

Honolulu, Hawaii

FEB 13 2014

RE: S.B. No. 2909
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committees on Health and Commerce and Consumer
Protection, to which was referred S.B. No. 2909 entitled:

"A BILL FOR AN ACT RELATING TO IN VITRO FERTILIZATION
INSURANCE COVERAGE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Provide insurance coverage for three in vitro fertilization cycles or a live birth;
- (2) Remove the requirement that the patient's oocytes be fertilized with sperm from the patient's spouse;
- (3) Remove the requirement that the patient's spouse have a history of infertility;
- (4) Provide insurance coverage for patients who have a history of infertility of twelve months if thirty-five years or younger, or six months if thirty-six years or older;
- (5) Expand the medical conditions associated with infertility to include ovulatory dysfunction and diminished ovarian reserve; and
- (6) Add a definition of infertility.



Your Committees received testimony in support of this measure from Kaiser Permanente; Hawaii Health Systems Corporation; Advanced Reproductive Medicine and Gynecology of Hawaii, Inc.; Fertility Institute of Hawaii; and eight individuals. Your Committees received testimony in opposition to this measure from The Chamber of Commerce of Hawaii, Hawaii Catholic Conference, and one individual. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Hawaii Medical Service Association, and one individual.

Your Committees find that infertility is a medical condition that impairs and substantially limits an individual's major life activity of reproduction. This measure provides equality for all women who are diagnosed with infertility by requiring non-discriminatory coverage and ensuring quality of care in the diagnosis and treatment of infertility.

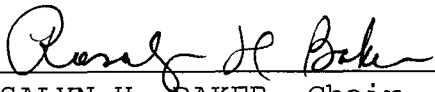
Your Committees have amended this measure by:

- (1) Removing the categorization of the in vitro fertilization coverage as a "lifetime" benefit;
- (2) Removing language in the purpose section regarding religious exemptions, as the exemption is not included or addressed in the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

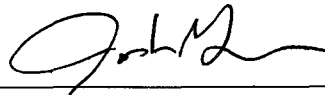
As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2909, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2909, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Health and
Commerce and Consumer
Protection,



ROSALYN H. BAKER, Chair

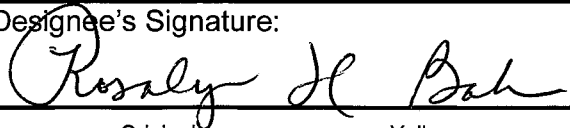


JOSH GREEN, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i


Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2909	HTH/CPN, WAM	2-7-14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne		✓		
NISHIHARA, Clarence K.	✓			
SLOM, Sam			✓	
TOTAL	3	1	1	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2909	HTH/CPN, WAM	2/7/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TANIGUCHI, Brian T. (VC)	/			
NISHIHARA, Clarence K.	/			
WAKAI, Glenn		/		
SLOM, Sam			/	
TOTAL	3	1	1	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes