

SB515

Measure Title: RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE.
Report Title: In Vitro Fertilization Procedure Coverage
Description: Amends insurance coverage requirements for in vitro fertilization to allow for expanded applicability.
Companion: HB677
Package: Women's Legislative Caucus
Current Referral: CPH/JDL, WAM
Introducer(s): SHIMABUKURO, Baker, Inouye



TIM VANDEVEER
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February 3, 2017

Senator Rosalyn H. Baker, Chair
Senator Clarence K. Nishihara, Vice Chair
Senate Committees on Commerce, Consumer Protection and Health

Senator Gilbert S. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair
Senate Committee on Judiciary and Labor

Submitted On Behalf of the Democratic Party of Hawai'i

The Democratic Party of Hawai'i (DPH) offers the following **comments on SB 515**.

DPH appreciates the intent of this bill as it seeks to ensure that women have equal access to in vitro fertilization (IVF) coverage regardless of marital status. However, DPH is concerned that this bill a) does not also require equal coverage for same sex couples; and b) contains religious exemption language in the preamble. DPH believes the better bill is SB 502. That bill would ensure equal coverage for both unmarried women and same sex couples. DPH has identified SB 502 as a legislative priority of the Party for 2017. DPH has submitted testimony in support of SB 502 separately.

Mahalo for the opportunity to testify on this bill.

Respectfully submitted,

Tim Vandever
Chair of the Democratic Party of Hawai'i



/s/ Marie (Dolly) Strazar
Vice Chair of the Democratic Party of Hawai'i

/s/ Margaret Wille
/s/ Sean Smith
Legislative Committee Co-chairs

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2017 11:13 PM
To: CPH Testimony
Cc: mgolojuch@hotmail.com
Subject: Submitted testimony for SB515 on Feb 3, 2017 09:30AM

SB515

Submitted on: 1/31/2017

Testimony for CPH/JDL on Feb 3, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Oppose	Yes

Comments: The LGBT Caucus opposes SB 515 in its current form as it leaves out LGBT couples and adds in a religious exemption clause that is not needed.

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Hawai`i LGBT Legal Association

February 3, 2017

TO: Senate Committee on Commerce, Consumer Protection and Health
Senate Committee on Judiciary and Labor

FROM: Hawai'i LGBT Legal Association

RE: **Comments on SB 515**

Chairs Baker and Keith-Agaran, Vice-Chairs Nishihara and Rhoads, and committee members:

The Hawai'i LGBT Legal Association ("HLLA") is a voluntary professional organization of Hawai'i lawyers, legal workers and law students dedicated to the fair and just treatment of the LGBT community. HLLA offers the following comments on HB 515.

The purpose of SB 515 is to ensure that Hawaii's in vitro fertilization (IVF) insurance mandate requires equal coverage for women, regardless of marital status. HLLA appreciates the intent of the bill but believes it does not do enough to address the IVF insurance needs of same sex couples. HLLA believes SB 502 is the better bill as it would ensure equal coverage for both same sex couples and unmarried women.

Thank you for the opportunity to testify on this bill.

Sincerely,

Nick Kacprowski , Co-President
Kaliko'onalani Fernandes, Co-President
Hawai'i LGBT Legal Association



An Independent Licensee of the Blue Cross and Blue Shield Association

February 3, 2017

The Honorable Rosalyn H. Baker, Chair
The Honorable Clarence K. Nishihara, Vice Chair
Senate Committee on Commerce, Consumer Protection and Health

The Honorable Gilbert S.C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair
Senate Committee on Judiciary and Labor

Re: SB 515 – Relating to In Vitro Fertilization Insurance Coverage

Dear Chair Baker, Chair Keith-Agaran, Vice Chair Nishihara, Vice Chair Rhoads and Members of the Committees:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 515, which would amend the requirements for mandatory insurance coverage of in vitro fertilization. HMSA would like to offer the following comments on this Bill.

HMSA certainly is aware and empathetic to the situations under which in vitro fertilization (IVF) procedures would be conducted. To that end, HMSA does not believe marital status should be a factor used in determining when this medical service is provided. Consequently, we support that specific provision of this Bill that eliminates reference to the term, “spouse” in Section 432:1-604, Hawaii Revised Statutes.

HMSA does, however, have concerns with other aspects of the Bill that we would like to bring to the Committees’ attention, for example:

- Section 4 could be interpreted to require plans to cover the diagnosis of infertility as a precursor to IVF. Any expansion of benefits could result in the plan incurring costs that could potentially impact the overall cost of our health plans.
- The Bill also removes the requirement that a member and spouse show five years of infertility and replaces it with a requirement that a member need only show one year (or six months) of infertility, depending on her age. Would this be a requirement for demonstrating infertility in the absence of the member having a particular medical condition associated with infertility such as endometriosis, DES, etc.? Changing the amount of time a member must demonstrate a history of infertility from five years to twelve months (or six months) could also be a concern with regard to the necessary time within which OB/GYNs and fertility specialists would accurately diagnose infertility.

Thank you for allowing us to testify on SB 515.

Sincerely,

Mark K. Oto
Director, Government Relations.

Testimony of
John M. Kirimitsu
Legal & Government Relations Consultant

Before:
Senate Committee on Commerce, Consumer Protection, and Health
The Honorable Rosalyn H. Baker, Chair
The Honorable Clarence K. Nishihara, Vice Chair

and

Senate Committee on Judiciary and Labor
The Honorable Gilbert S.C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair

February 3, 2017
9:30 am
Conference Room 016

Re: SB 515 Relating to In Vitro Fertilization Insurance Coverage

Chairs, Vice Chairs, and committee members, thank you for this opportunity to provide testimony on this bill relating to the expansion of in vitro fertilization coverage.

Kaiser Permanente Hawaii supports the intent of this bill but requests amendments.

Amend All References to “Insured’s Dependent”, “Covered Dependent”, and “Member’s Dependent”

On Page 2, Line 20; Page 3, Line 4; and Page 5, Line 10 and Line 15-16: Replace all references to “insured’s dependent”, “covered dependent” and “member’s dependent” with “insured’s spouse/civil union partner dependent” to differentiate between adult versus child dependents.

Amend the Reference that Health Insurers “shall” Cover all Other Applicable Infertility Treatments.

On Page 4, Lines 5-6; and Page 6, Lines 17-18: Delete “shall be” and replace with “is”, so Section (4) reads:

“The patient has been unable to attain a successful pregnancy through other applicable infertility treatments for which coverage [shall be] is available under the insurance contract . . . ”

Note: [bracketed language] is deleted and underscoring language is added

Otherwise, this bill will require that health insurers “shall” cover every and all “other” infertility treatments, i.e., the entire universe of infertility treatments.

Thank you for the opportunity to comment.



ADVANCED REPRODUCTIVE MEDICINE & GYNECOLOGY



February 1, 2017

Dear Senators and Committee Members:

This letter is in **SUPPORT** of SB 515.

Approximately 15% of the US population has difficulty conceiving and are given the diagnosis of infertility. For many people with infertility, the dream of having a family will never be realized. The 85% of the US population without infertility are indeed very blessed but often do not realize how blessed they truly are.

Infertility treatments are no longer experimental or taboo. Infertility treatments are no longer kept secret from friends and family. These treatments are the Standard of Care for treating infertility. Over 7- million babies have been conceived using In Vitro Fertilization and many many many more millions of babies have been born using other infertility treatments.

There are many etiologies for infertility. Some are easily diagnosed and treated and others require more advanced technologies. I have been lucky enough to practice in two other states with mandated infertility coverage (Maryland and New Jersey). In those states, patients are able to progress from lesser infertility treatments such as ovulation induction and artificial insemination to In Vitro Fertilization. As an infertility provider, I have seen first hand that the type of coverage that is outlined in SB515 offers patients the greatest chance to achieve their dream of having a family.

Not everyone has success with infertility treatments but for those who are successful –This is truly a gift of life! Thanks to infertility treatment I am a proud parent of 2 boys and 1 girl. My wife and I underwent multiple infertility treatment cycles prior to doing In Vitro Fertilization (IVF). Our first two IVF cycles were unsuccessful and it was not until the third cycle that we had success. We were lucky! Not only because we were successful but because we had the ability to continue to attempt treatments until we were able to conceive. Every day I look at my two boys and I am thankful to all of those healthcare providers who helped make our dreams come true.

As an infertility provider, I see myself in my patients. I understand their hopes and dreams. I understand their despair when not successful. Through my many years of training and practicing, I also understand that many of my patients would achieve their dream of having family if they were allowed to continue treatment.

I fully and enthusiastically support SB 515 to allow for expanded applicability for fertility services. Without it, many of our friends and families will not be able to experience the privilege of having a family –a privilege that many without infertility take for granted.

Sincerely and Mahalo,

John L. Frattarelli, M.D., HCLD
Reproductive Endocrinology and Infertility
Advanced Reproductive Medicine & Gynecology of Hawaii, Inc.

&
Fertility Institute of Hawaii
1401 South Beretania Street, Ste 250, Honolulu HI 96814
www.IVFCenterHawaii.com



February 3, 2017

To: **Committee on Commerce, Consumer Protection, and Health**
The Honorable Rosalyn H. Baker, Chair
The Honorable Clarence K. Nishihara, Vice Chair

Committee on Judiciary and Labor
The Honorable Gilbert S. C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair

From: Beth Giesting, Hawai'i Association of Health Plans

**Re: Concerns about SB 515, RELATING TO IN VITRO FERTILIZATION
INSURANCE COVERAGE**

The Hawai'i Association of Health Plans (HAHP) thanks you for the opportunity to share concerns about Senate Bill 515, which would expand eligibility for covered *in vitro* fertilization services.

HAHP's concerns with the proposed changes are as follows:

- Reducing the waiting time from five years to 12 months could encourage a couple to bypass stepped services that are often effective as well as being less risky, invasive, and. Expert opinion should be surveyed to help law-makers and plans arrive at the optimal waiting time.
- The demand and related costs for expanded services as described in this bill are unknown. Insurers would have to assess the impact and build the added costs into employer premiums, which would be done gingerly as we seek to balance essential benefits with the burden to employers.

We appreciate the intent of this bill and look forward to working with lawmakers to ensure that Hawai'i residents continue to have the health benefits they need and that coverage for them is affordable.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 11:07 AM
To: CPH Testimony
Cc: ds.pups08@gmail.com
Subject: *Submitted testimony for SB515 on Feb 3, 2017 09:30AM*

SB515

Submitted on: 2/1/2017

Testimony for CPH/JDL on Feb 3, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn Tanimoto	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 7:16 PM
To: CPH Testimony
Cc: pulermq@gmail.com
Subject: *Submitted testimony for SB515 on Feb 3, 2017 09:30AM*

SB515

Submitted on: 1/30/2017

Testimony for CPH/JDL on Feb 3, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
RuthMarie Quirk	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 6:21 PM
To: CPH Testimony
Cc: mikegolojuch808@gmail.com
Subject: Submitted testimony for SB515 on Feb 3, 2017 09:30AM

SB515

Submitted on: 1/30/2017

Testimony for CPH/JDL on Feb 3, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Individual	Oppose	No

Comments: I strongly oppose SB515. Although I submit my testimony as an individual, as a member of the State Central Committee of the Democratic Party of Hawaii, I know this measure as written goes against the State Platform and resolutions passed. SB502 is in vehicle that is inclusive and supports Democratic principles. Please defer SB515. Thank you for the opportunity to provide my comments.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 3:07 AM
To: CPH Testimony
Cc: andresyg@hawaii.edu
Subject: *Submitted testimony for SB515 on Feb 3, 2017 09:30AM*

SB515

Submitted on: 2/2/2017

Testimony for CPH/JDL on Feb 3, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Andres Gonzalez	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 5:06 PM
To: CPH Testimony
Cc: hiabbybrown@gmail.com
Subject: Submitted testimony for SB515 on Feb 3, 2017 09:30AM

SB515

Submitted on: 2/1/2017

Testimony for CPH/JDL on Feb 3, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
AbigailAu	Individual	Support	No

Comments: I support SB515. the language in the bill better reflects the best medical practice when it comes to IVF Abigail Au 82-6065 Mamalahoa Hwy. B-302 Captain Cook, HI 96704

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