

JAN 26 2022

A BILL FOR AN ACT

RELATING TO FERTILITY PRESERVATION.

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

1 SECTION 1. The purpose of this Act is to require Hawaii
2 insurance companies to include, as a benefit, fertility
3 preservation procedures for men and women of reproductive age
4 who have been diagnosed with cancer and whose cancer treatment
5 may adversely affect their fertility.

6 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
7 amended by adding a new section to article 10A to be
8 appropriately designated and to read as follows:

9 "§431:10A- Fertility preservation procedure coverage.

10 (a) Each policy of accident and health or sickness insurance
11 providing coverage for health care, except for policies that
12 provide coverage only for specified diseases or other limited
13 benefit coverage, shall provide coverage for standard fertility
14 preservation services; provided that:

15 (1) The insured is diagnosed with a cancer that may or the
16 treatment of which may adversely affect the fertility
17 of the insured; and



1 (2) The standard fertility preservation services are
2 deemed reasonably necessary for the insured.

3 (b) For the purposes of this section, "standard fertility
4 preservation services" means procedures consistent with
5 established medical practices and professional guidelines
6 published by the American Society for Reproductive Medicine, the
7 American Society of Clinical Oncology, or as defined by the
8 department of health. "Standard fertility preservation
9 services" shall include the storage of sperm or oocytes for one
10 year."

11 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
12 amended by adding a new section to part VI of article 1 to be
13 appropriately designated and to read as follows:

14 **"§432:1- Fertility preservation procedure coverage.**

15 (a) All individual and group hospital and medical service
16 contracts providing health care coverage shall provide coverage
17 for standard fertility preservation services; provided that:

18 (1) The insured is diagnosed with a cancer that may or the
19 treatment of which may adversely affect the fertility
20 of the insured; and



1 (2) The standard fertility preservation services are
2 deemed reasonably necessary for the insured.

3 (b) For purposes of this section, "standard fertility
4 preservation services" means procedures consistent with
5 established medical practices and professional guidelines
6 published by the American Society for Reproductive Medicine, the
7 American Society of Clinical Oncology, or as defined by the
8 department of health. "Standard fertility preservation
9 services" shall include the storage of sperm or oocytes for one
10 year."

11 SECTION 4. Section 432D:23, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§432D-23 Required provisions and benefits.**

14 Notwithstanding any provision of law to the contrary, each
15 policy, contract, plan, or agreement issued in the State after
16 January 1, 1995, by health maintenance organizations pursuant to
17 this chapter, shall include benefits provided in sections
18 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,
19 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119,
20 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126,



1 431:10A-132, 431:10A-133, 431:10A-140, [~~and~~] 431:10A-134, and
2 431:10A-_____, and chapter 431M."

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on July 1, 2022.

6

INTRODUCED BY: MM N. M

By Request



Report Title:

Fertility Preservation; Medical; Health; Insurance; Mandated Benefit

Description:

Requires health insurers to include, as a benefit, fertility preservation procedures for men and women of reproductive age who have been diagnosed with cancer and whose cancer or cancer treatment may adversely affect their fertility.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

