

STAND. COM. REP. NO. 3692

Honolulu, Hawaii

APR 05 2022

RE: S.C.R. No. 152
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.C.R. No. 152 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF MANDATING HEALTH INSURANCE COVERAGE FOR OOCYTE CRYOPRESERVATION,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Auditor to assess the social and financial effects of mandating health insurance coverage for oocyte cryopreservation.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawaii.

Your Committee finds that women who undergo certain procedures, such as chemotherapy or surgeries, or who are at risk of premature ovarian failure or ovarian disease, have a high risk of infertility. Existing law does not require health insurers to cover costs associated with oocyte cryopreservation, or egg freezing. Your Committee further finds that access to sexual and reproductive health care is critical for the health and well-being of all families and that residents should be able to plan their families in ways that are best and appropriate for them without discrimination. This measure requests the Auditor to conduct a review and prepare a report assessing both the social and financial effects of the proposed mandated coverage in Senate Bill



No. 2917, S.D. 2, Regular Session of 2022, which would include oocyte cryopreservation procedure coverage.

Your Committee has amended this measure by:

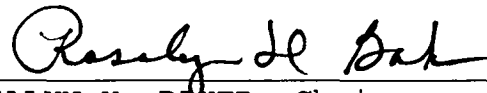
- (1) Inserting language requesting the Auditor to include in the impact assessment report a survey of other states in the United States that have implemented a mandate for oocyte cryopreservation benefits and to examine what the social and financial impact has been in these states;
- (2) Requesting the Auditor to research the standard medical definition of "reproductive age" and to examine the success rates for the different age groups to determine coverage benefit limitations for this proposed covered benefit, including an examination of whether different standards of infertility treatments are applied to different age groups in need of infertility treatments;
- (3) Requesting the Auditor to research whether any expansion of infertility in vitro fertilization procedures constitutes benefits that are in excess of the essential health benefits, thus requiring the State to defray such costs;
- (4) Requesting the Auditor to examine current medically necessary standards of care used to determine what types of infertility treatment options are available, particularly ones that result in greater cost-effective savings than in vitro fertilization, which may be best suited for individuals in need of infertility procedures, and to examine the existing technology in infertility procedures and possible future technology; and
- (5) Requesting the Auditor to research certain legal issues surrounding the rights and entitlements with respect to the frozen eggs, including contract remedies and storage and disposition of the cryopreserved material, and to consider:
 - (A) How long should the eggs be preserved;



- (B) When and how should the eggs be destroyed;
 - (C) Whether the eggs may be used for providing instruction in assisted reproduction procedures or other research if the woman decides not to use them;
 - (D) What will happen to the eggs if the donor dies; and
 - (E) What will happen to the eggs if the donor and her spouse separate; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 152, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 152, S.D. 1.

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

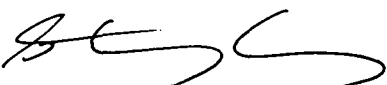


ROSALYN H. BAKER, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 152	CPN	03-23-2022		
<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)	✓			
CHANG, Stanley (VC)	✓			
DECOITE, Lynn	✓			
NISHIHARA, Clarence K.	✓			
RIVIERE, Gil	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	7			
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