

MAINE STATE LEGISLATURE

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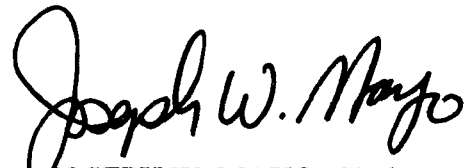
H.P. 1013

House of Representatives, February 18, 1999

An Act to Require Insurance Coverage for the Treatment of Infertility.

(EMERGENCY)

Reference to the Committee on Banking and Insurance suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MUSE of South Portland.
Cosponsored by Senator RAND of Cumberland and
Representatives: BULL of Freeport, STEVENS of Orono.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation requires that health insurance policies include coverage for the treatment of infertility; and

Whereas, this legislation applies to all insurance policies and contracts in effect on or after January 1, 2000; and

Whereas, it is necessary that health insurance companies have sufficient time for preparation of this coverage; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24 MRSA §2320-H is enacted to read:

§2320-H. Infertility

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Infertility" means the inability to get pregnant after one year of unprotected sex or the inability to carry a pregnancy.

B. "Treatment of infertility" means the following procedures provided for the purpose of the treatment of infertility:

(1) In vitro fertilization;

(2) Uterine embryo lavage;

(3) Embryo transfer;

(4) Artificial insemination;

(5) Gamete intrafallopian transfer;

(6) Zygote intrafallopian transfer;

(7) Intracytoplasmic sperm injection;

(8) Four completed egg retrievals per lifetime; and

(9) Low tubal egg transfer.

2. Required coverage. An individual and group nonprofit hospital and medical services plan contract or nonprofit health care plan contract must provide coverage for the treatment of infertility. A contract that provides coverage for the services required by this section may contain provisions requiring a 20% copayment by the insured.

3. Application. The requirements of this section apply to a policy, contract or certificate executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2000. For purposes of this section, a contract is deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 2. 24-A MRSA §2745-H is enacted to read:

§2745-H. Infertility

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Infertility" means the inability to get pregnant after one year of unprotected sex or the inability to carry a pregnancy.

B. "Treatment of infertility" means the following procedures provided for the purpose of the treatment of infertility:

(1) In vitro fertilization;

(2) Uterine embryo lavage:

(3) Embryo transfer;

(4) Artificial insemination:

(5) Gamete intrafallopian transfer;

(6) Zygote intrafallopian transfer:

(7) Intracytoplasmic sperm injection:

(8) Four completed egg retrievals per lifetime; and

(9) Low tubal egg transfer.

2 2. Required coverage. An individual insurance policy or
3 contract must provide coverage for the treatment of infertility.
4 A contract that provides coverage for the services required by
5 this section may contain provisions requiring a 20% copayment by
6 the insured.

7 3. Application. The requirements of this section apply to
8 a policy, contract or certificate executed, delivered, issued for
9 delivery, continued or renewed in this State on or after January
10 1, 2000. For purposes of this section, a contract is deemed to
11 be renewed no later than the next yearly anniversary of the
12 contract date.

13 Sec. 3. 24-A MRSA §2837-I is enacted to read:

14 §2837-I. Infertility

15 1. Definitions. As used in this section, unless the
16 context otherwise indicates, the following terms have the
17 following meanings.

18 A. "Infertility" means the inability to get pregnant after
19 one year of unprotected sex or the inability to carry a
20 pregnancy.

21 B. "Treatment of infertility" means the following
22 procedures provided for the purpose of the treatment of
23 infertility:

24 (1) In vitro fertilization;

25 (2) Uterine embryo lavage;

26 (3) Embryo transfer;

27 (4) Artificial insemination;

28 (5) Gamete intrafallopian transfer;

29 (6) Zygote intrafallopian transfer;

30 (7) Intracytoplasmic sperm injection;

31 (8) Four completed egg retrievals per lifetime; and

32 (9) Low tubal egg transfer.

33 2. Required coverage. A group insurance policy or contract
34 must provide coverage for the treatment of infertility. A
35 contract that provides coverage for the services required by this
36 section may contain provisions requiring a 20% copayment by the
37 insured.

2 3. Application. The requirements of this section apply to
4 a policy, contract or certificate executed, delivered, issued for
6 delivery, continued or renewed in this State on or after January
8 1, 2000. For purposes of this section, a contract is deemed to
10 be renewed no later than the next yearly anniversary of the
12 contract date.

14 Sec. 4. 24-A MRSA §4234-F is enacted to read:

16 **§4234-F. Infertility**

18 1. Definitions. As used in this section, unless the
20 context otherwise indicates, the following terms have the
22 following meanings.

24 A. "Infertility" means the inability to get pregnant after
26 one year of unprotected sex or the inability to carry a
28 pregnancy.

30 B. "Treatment of infertility" means the following
32 procedures provided for the purpose of the treatment of
34 infertility:

36 (1) In vitro fertilization;

38 (2) Uterine embryo lavage;

40 (3) Embryo transfers;

42 (4) Artificial insemination;

44 (5) Gamete intrafallopian transfer;

46 (6) Zygote intrafallopian transfer;

48 (7) Intracytoplasmic sperm injection;

50 (8) Four completed egg retrievals per lifetime; and

52 (9) Low tubal egg transfer.

2 2. Required coverage. A health maintenance organization
4 individual or group contract must provide coverage for the
6 treatment of infertility. A contract that provides coverage for
8 the services required by this section may contain provisions
10 requiring a 20% copayment by the insured.

12 3. Application. The requirements of this section apply to
14 a policy, contract or certificate executed, delivered, issued for
16 delivery, continued or renewed in this State on or after January
18 1, 2000. For purposes of this section, a contract is deemed to

2 be renewed no later than the next yearly anniversary of the
3 contract date.

4 **Emergency clause.** In view of the emergency cited in the
5 preamble, this Act takes effect when approved.
6

8 **SUMMARY**

10 This bill requires that health insurance policies include
11 coverage for the treatment of infertility. Under this bill, a
12 contract that provides such coverage may require a 20% copayment
13 by the insured.

14 This bill applies to all policies and contracts in effect on
15 or after January 1, 2000.
16