

1 **INSURANCE COVERAGE FOR IN VITRO FERTILIZATION**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Andrew Stoddard**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill requires certain health benefit plans to cover in vitro fertilization.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ requires a health benefit plan to cover in vitro fertilization if it provides a maternity
13 benefit;
- 14 ▶ specifies eligibility, cost sharing, and other coverage requirements; and
- 15 ▶ creates an exemption.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **31A-22-653**, Utah Code Annotated 1953

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **31A-22-653** is enacted to read:

26 **31A-22-653. Coverage of in vitro fertilization.**

27 (1) A health benefit plan entered into or renewed on or after January 1, 2021, that



28 includes a maternity benefit shall cover an in vitro fertilization procedure in accordance with
29 this section.

30 (2) An enrollee is eligible for coverage of an in vitro fertilization procedure if:

31 (a) the enrollee and the enrollee's spouse have a history of infertility:

32 (i) associated with:

33 (A) endometriosis;

34 (B) exposure to diethylstilbestrol in utero;

35 (C) blockage or surgical removal of one or both fallopian tubes; or

36 (D) oligospermia; or

37 (ii) that has lasted for at least the previous five years;

38 (b) the fertilization or attempted fertilization of the enrollee's oocytes is made with the
39 sperm of the enrollee's spouse;

40 (c) the enrollee has been unable to achieve a successful pregnancy using other
41 medically appropriate infertility treatments that:

42 (i) are covered by the health benefit plan; and

43 (ii) cost less than the in vitro fertilization procedure;

44 (d) the in vitro fertilization procedure is performed in accordance with guidelines
45 adopted by the American Society for Reproductive Medicine; and

46 (e) the enrollee has not received from the health benefit plan an adoption indemnity
47 benefit under Section [31A-22-610.1](#) or Section [49-20-418](#).

48 (3) (a) A health benefit plan's cost sharing requirements for coverage of an in vitro
49 fertilization procedure may not be less favorable to an enrollee than the cost sharing
50 requirements for the health benefit plan's maternity benefit.

51 (b) A health benefit plan's coverage of an vitro fertilization procedure may not include
52 benefit limits less favorable to an enrollee than maternity benefit limits imposed by the health
53 benefit plan.