

Public Employees' Benefit and Insurance Program Modifications

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

House Sponsor: Stephanie Gricius

LONG TITLE

General Description:

This bill modifies coverage under the Public Employees' Benefit and Insurance Program.

Highlighted Provisions:

This bill:

- provides coverage under the Public Employees' Benefit and Insurance Program for qualified assisted reproductive technology.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

49-20-418, as last amended by Laws of Utah 2024, Chapter 422

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

Section 1. Section **49-20-418** is amended to read:

49-20-418 . Expanded infertility treatment benefit.

(1) As used in this section:

(a) "Assisted reproductive technology" means the same as the term is defined in 42 U.S.C. Sec. 263a-7.

(b) "Physician" means the same as the term is defined in Section 58-67-102.

(c) "Qualified assisted reproductive technology cycle" means the use of covered assisted reproductive technology to transfer a single embryo for implantation.

(d) "Qualified individual" means an individual:

(i) covered within the state risk pool; and

(ii) eligible for maternity benefits under the program.

(2)(a) The program shall ~~[offer a benefit of \$4,000 to a qualified individual toward the costs of each]~~ provide coverage for qualified assisted reproductive technology ~~[eye]~~ cycles.

(b) The benefit is subject to the same cost sharing requirements as the qualified individual's plan.

(3) A qualified individual shall receive the benefit described in Subsection (2) if:

(a) the qualified individual is the patient who will use the assisted reproductive technology;

(b)(i) the patient's physician verifies that the patient or the patient's spouse has a demonstrated condition recognized by a physician as a cause of infertility; or

(ii) the patient attests that the patient is unable to conceive a pregnancy or carry a pregnancy to a live birth after a year or more of regular sexual relations without contraception;

(c) the patient attests that the patient has been unable to attain a successful pregnancy through any less-costly, potentially effective infertility treatments for which coverage is available under the health benefit plan; and

(d) the use of the assisted reproductive technology procedure complies with the program's clinical policies and is performed ~~[at a medical facility that conforms to the minimal standards for programs of assisted reproductive technology procedures adopted by the American Society for Reproductive Medicine]~~ by a health care provider who contracts with or is otherwise approved by the program.

(4)(a) The provision of a benefit in accordance with this section shall satisfy, in accordance with Subsection 31A-22-610.1(1)(c)(ii), the requirement to provide an adoption indemnity benefit to a qualified individual under Section 31A-22-610.1.

(b) If a qualified individual has received the adoption indemnity benefit required under Section 31A-22-610.1, the qualified individual may not receive a benefit in accordance with this section.

Section 2. **Effective Date.**

This bill takes effect on July 1, 2025.