

1                   **Public Employees' Benefit and Insurance Program Modifications**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Calvin R. Musselman**

House Sponsor:

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3   **LONG TITLE**

4   **General Description:**

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

6   **Highlighted Provisions:**

7       This bill:

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

10 **Money Appropriated in this Bill:**

11       None

12 **Other Special Clauses:**

13       This bill provides a special effective date.

14 **Utah Code Sections Affected:**

15 AMENDS:

16       **49-20-418**, as last amended by Laws of Utah 2024, Chapter 422

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

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

20       **49-20-418 . Expanded infertility treatment benefit.**

21 (1) As used in this section:

22       (a) "Assisted reproductive technology" means the same as the term is defined in 42

23       U.S.C. Sec. 263a-7.

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

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

27       (d) "Qualified individual" means an individual:

28       (i) covered within the state risk pool; and

29       (ii) eligible for maternity benefits under the program.

30 (2)(a) The program shall [~~offer a benefit of \$4,000 to a qualified individual toward the~~

31 costs of each] provide coverage for qualified assisted reproductive technology [eyele]  
32 cycles.

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

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

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

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

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

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

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

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

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

57 Section 2. **Effective Date.**

58 This bill takes effect on July 1, 2025.