

2017 -- S 0490

LC001382

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO INSURANCE

Introduced By: Senators Calkin, Goldin, Quezada, Coyne, and Sosnowski

Date Introduced: March 02, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-30 of the General Laws in Chapter 27-18 entitled "Accident  
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-30. Health insurance contracts -- Infertility.**

4 (a) Any health insurance contract, plan, or policy delivered or issued for delivery or  
5 renewed in this state, except contracts providing supplemental coverage to Medicare or other  
6 governmental programs, which includes pregnancy related benefits, shall provide coverage for  
7 medically necessary expenses of diagnosis and treatment of infertility for women between the  
8 ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years. To the extent that a health insurance  
9 contract provides reimbursement for a test or procedure used in the diagnosis or treatment of  
10 conditions other than infertility, the tests and procedures shall not be excluded from  
11 reimbursement when provided attendant to the diagnosis and treatment of infertility for women  
12 between the ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years; provided, that a  
13 subscriber co-payment not to exceed twenty percent (20%) may be required for those programs  
14 and/or procedures the sole purpose of which is the treatment of infertility.

15 (b) For the purpose of this section, "infertility" means the condition of an otherwise  
16 presumably healthy ~~married~~ individual who is unable to conceive ~~or produce conception or~~  
17 sustain a pregnancy during a period of ~~two (2) years~~ one year.

18 (c) Notwithstanding the provisions of section 27-18-19 or any other provision to the  
19 contrary, this section shall apply to blanket or group policies of insurance.

1 (d) The health insurance contract may limit coverage to a lifetime cap of one hundred 2  
2 thousand dollars (\$100,000).

3 SECTION 2. Section 27-19-23 of the General Laws in Chapter 27-19 entitled "Nonprofit  
4 Hospital Service Corporations" is hereby amended to read as follows:

5 **27-19-23. Coverage for infertility.**

6 (a) Any nonprofit hospital service contract, plan, or insurance policies delivered, issued  
7 for delivery, or renewed in this state, except contracts providing supplemental coverage to  
8 Medicare or other governmental programs, which includes pregnancy related benefits shall  
9 provide coverage for medically necessary expenses of diagnosis and treatment of infertility for  
10 women between the ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years. To the extent  
11 that a nonprofit hospital service corporation provides reimbursement for a test or procedure used  
12 in the diagnosis or treatment of conditions other than infertility, those tests and procedures shall  
13 not be excluded from reimbursement when provided attendant to the diagnosis and treatment of  
14 infertility for women between the ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years;  
15 provided, that a subscriber copayment, not to exceed twenty percent (20%), may be required for  
16 those programs and/or procedures the sole purpose of which is the treatment of infertility.

17 (b) For the purposes of this section, "infertility" means the condition of an otherwise  
18 presumably healthy ~~married~~ individual who is unable to conceive ~~or produce conception or~~  
19 sustain a pregnancy during a period of ~~two (2) years~~ one year.

20 (c) The health insurance contract may limit coverage to a lifetime cap of one hundred 21  
21 thousand dollars (\$100,000).

22 SECTION 3. Section 27-20-20 of the General Laws in Chapter 27-20 entitled "Nonprofit  
23 Medical Service Corporations" is hereby amended to read as follows:

24 **27-20-20. Coverage for infertility.**

25 (a) Any nonprofit medical service contract, plan, or insurance policies delivered, issued  
26 for delivery, or renewed in this state, except contracts providing supplemental coverage to  
27 Medicare or other governmental programs, which includes pregnancy related benefits shall  
28 provide coverage for the medically necessary expenses of diagnosis and treatment of infertility  
29 for women between the ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years. To the extent  
30 that a nonprofit medical service corporation provides reimbursement for a test or procedure used  
31 in the diagnosis or treatment of conditions other than infertility, those tests and procedures shall  
32 not be excluded from reimbursement when provided attendant to the diagnosis and treatment of  
33 infertility for women between the ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years.  
34 Provided, that subscriber copayment, not to exceed twenty percent (20%), may be required for

1 those programs and/or procedures the sole purpose of which is the treatment of infertility.

2 (b) For the purposes of this section, "infertility" means the condition of an otherwise  
3 presumably healthy ~~married~~ individual who is unable to conceive ~~or produce conception~~ or  
4 sustain a pregnancy during a period of ~~two (2) years~~ one year.

5 (c) The health insurance contract may limit coverage to a lifetime cap of one hundred 6  
6 thousand dollars (\$100,000).

7 SECTION 4. Section 27-41-33 of the General Laws in Chapter 27-41 entitled "Health  
8 Maintenance Organizations" is hereby amended to read as follows:

9 **27-41-33. Coverage for infertility.**

10 (a) Any health maintenance organization service contract plan or policy delivered, issued  
11 for delivery, or renewed in this state, except a contract providing supplemental coverage to  
12 Medicare or other governmental programs, which includes pregnancy related benefits, shall  
13 provide coverage for medically necessary expenses of diagnosis and treatment of infertility for  
14 women between the ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years. To the extent  
15 that a health maintenance organization provides reimbursement for a test or procedure used in the  
16 diagnosis or treatment of conditions other than infertility, those tests and procedures shall not be  
17 excluded from reimbursement when provided attendant to the diagnosis and treatment of  
18 infertility for women between the ages of twenty-five (25) and ~~forty (40)~~ forty-two (42) years;  
19 provided, that subscriber copayment, not to exceed twenty percent (20%), may be required for  
20 those programs and/or procedures the sole purpose of which is the treatment of infertility.

21 (b) For the purpose of this section, "infertility" means the condition of an otherwise  
22 healthy ~~married~~ individual who is unable to conceive ~~or produce conception~~ or sustain a  
23 pregnancy during a period of ~~two (2) years~~ one year.

24 (c) The health insurance contract may limit coverage to a lifetime cap of one hundred 25  
25 thousand dollars (\$100,000).

26 SECTION 5. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO INSURANCE

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1           This act would provide insurance for infertility regardless of marital status and would  
2 also increase the maximum treatment age from forty (40) years to forty-two (42) years. This act  
3 would also redefine the term "infertility" to mean a woman who is unable to sustain a pregnancy  
4 during a period of one year.

5           This act would take effect upon passage.

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