

2017 -- S 0821

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LC002591  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO INSURANCE

Introduced By: Senator Maryellen Goodwin

Date Introduced: April 26, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness  
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-83. Iatrogenic infertility treatment -- Coverage mandated.**

4 (a) Every individual or group hospital medical expense insurance policy or individual or  
5 group hospital or medical services plan contract delivered, issued for delivery, or renewed in this  
6 state shall provide coverage for medically necessary expenses for standard fertility preservation  
7 services when a necessary medical treatment may directly or indirectly cause iatrogenic infertility  
8 to a covered person. This section does not apply to insurance coverage providing benefits for:

- 9 (1) Hospital confinement indemnity;  
10 (2) Disability income;  
11 (3) Accident only;  
12 (4) Long-term care;  
13 (5) Medicare supplement;  
14 (6) Limited benefit health;  
15 (7) Specific disease indemnity;  
16 (8) Sickness or bodily injury or death by accident or both; and  
17 (9) Other limited benefit policies.

18 (b) For the purpose of this section, "iatrogenic infertility" means an impairment of  
19 fertility as a result of surgery, radiation, chemotherapy or other medical treatment affecting

1 [reproductive organs or processes.](#)

2 [\(c\) For the purpose of this section, "standard fertility preservation services" means](#)  
3 [procedures consistent with established medical practices and professional guidelines published by](#)  
4 [the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or](#)  
5 [other reputable professional medical organizations.](#)

6 [\(d\) For the purpose of this section, "may directly or indirectly cause" means treatment](#)  
7 [with a likely side effect of infertility as established by the American Society for Reproductive](#)  
8 [Medicine, the American Society of Clinical Oncology, or other reputable professional medical](#)  
9 [organizations.](#)

10 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service  
11 Corporations" is hereby amended by adding thereto the following section:

12 **27-19-74. Iatrogenic infertility treatment -- Coverage mandated.**

13 [\(a\) Subscribers to any nonprofit hospital service plan shall be afforded coverage under](#)  
14 [the plan for medically necessary expenses for standard fertility preservation services when a](#)  
15 [necessary medical treatment may directly or indirectly cause iatrogenic infertility to a covered](#)  
16 [person.](#)

17 [\(b\) For the purpose of this section, "iatrogenic infertility" means an impairment of](#)  
18 [fertility as a result of surgery, radiation, chemotherapy or other medical treatment affecting](#)  
19 [reproductive organs or processes.](#)

20 [\(c\) For the purpose of this section, "standard fertility preservation services" means](#)  
21 [procedures consistent with established medical practices and professional guidelines published by](#)  
22 [the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or](#)  
23 [other reputable professional medical organizations.](#)

24 [\(d\) For the purpose of this section, "may directly or indirectly cause" means treatment](#)  
25 [with a likely side effect of infertility as established by the American Society for Reproductive](#)  
26 [Medicine, the American Society of Clinical Oncology, or other reputable professional medical](#)  
27 [organizations.](#)

28 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service  
29 Corporations" is hereby amended by adding thereto the following section:

30 **27-20-70. Iatrogenic infertility treatment -- Coverage mandated.**

31 [\(a\) Subscribers to any nonprofit medical service plan shall be afforded coverage under](#)  
32 [the plan for medically necessary expenses for standard fertility preservation services when a](#)  
33 [necessary medical treatment may directly or indirectly cause iatrogenic infertility to a covered](#)  
34 [person.](#)

1           **(b) For the purpose of this section, "iatrogenic infertility" means an impairment of**  
2 **fertility as a result of surgery, radiation, chemotherapy or other medical treatment affecting**  
3 **reproductive organs or processes.**

4           **(c) For the purpose of this section, "standard fertility preservation services" means**  
5 **procedures consistent with established medical practices and professional guidelines published by**  
6 **the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or**  
7 **other reputable professional medical organizations.**

8           **(d) For the purpose of this section, "may directly or indirectly cause" means treatment**  
9 **with a likely side effect of infertility as established by the American Society for Reproductive**  
10 **Medicine, the American Society of Clinical Oncology, or other reputable professional medical**  
11 **organizations.**

12           SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance  
13 Organizations" is hereby amended by adding thereto the following section:

14           **27-41-87. Iatrogenic infertility treatment -- Coverage mandated.**

15           **(a) Subscribers to any health maintenance organization plan shall be afforded coverage**  
16 **under the plan for medically necessary expenses for standard fertility preservation services when**  
17 **a necessary medical treatment may directly or indirectly cause iatrogenic infertility to a covered**  
18 **person.**

19           **(b) For the purpose of this section, "iatrogenic infertility" means an impairment of**  
20 **fertility as a result of surgery, radiation, chemotherapy or other medical treatment affecting**  
21 **reproductive organs or processes.**

22           **(c) For the purpose of this section, "standard fertility preservation services" means**  
23 **procedures consistent with established medical practices and professional guidelines published by**  
24 **the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or**  
25 **other reputable professional medical organizations.**

26           **(d) For the purpose of this section, "may directly or indirectly cause" means treatment**  
27 **with a likely side effect of infertility as established by the American Society for Reproductive**  
28 **Medicine, the American Society of Clinical Oncology, or other reputable professional medical**  
29 **organizations.**

30           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 mandate insurance coverage for medically necessary expenses for  
2 standard fertility preservation services when a medical treatment may directly or indirectly cause  
3 iatrogenic infertility. "Iatrogenic infertility" means an impairment of fertility as a result of  
4 surgery, radiation, chemotherapy or other medical treatment affecting the reproductive organs or  
5 processes.

6           This act would take effect upon passage.

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