

2007 -- S 0453

LC01754

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO INSURANCE

Introduced By: Senators Walaska, and Perry

Date Introduced: February 13, 2007

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

1 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~~ and
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 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.** -- (a) Any health maintenance organization service
10 contract plan or policy delivered, issued for delivery, or renewed in this state, except a contract
11 providing supplemental coverage to Medicare or other governmental programs, which includes
12 pregnancy related benefits, shall provide coverage for medically necessary expenses of diagnosis
13 and treatment of infertility for women between the ages of twenty-five (25) and forty ~~forty (40)~~
14 forty-two (42) years. To the extent that a health maintenance organization provides
15 reimbursement for a test or procedure used in the diagnosis or treatment of conditions other than
16 infertility, those tests and procedures shall not be excluded from reimbursement when provided
17 attendant to the diagnosis and treatment of infertility for women between the ages of twenty-five
18 (25) and ~~forty (40)~~ forty-two (42) years; provided, that subscriber copayment, not to exceed
19 twenty percent (20%), may be required for those programs and/or procedures the sole purpose of
20 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~~ and 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 thousand dollars (\$100,000).

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would increase the age cut-off for coverage for medically necessary expenses of
2 diagnosis and treatment of infertility for women from age forty (40) to age forty two (42). The 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 (1) year.

5 This act would take effect upon passage.

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