



General Assembly

January Session, 2005

Committee Bill No. 508

LCO No. 4854

04854SB00508INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

**AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR
INFERTILITY TREATMENT AND PROCEDURES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) Each individual
2 health insurance policy providing coverage of the type specified in
3 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general
4 statutes delivered, issued for delivery, amended, renewed or
5 continued in this state on or after October 1, 2005, shall provide
6 coverage for the medically necessary expenses of the diagnosis and
7 treatment of infertility. For purposes of this section, "infertility" means
8 the condition of a presumably healthy individual who is unable to
9 conceive or produce conception or retain a pregnancy during a one-
10 year period.

11 (b) (1) Notwithstanding any other provision of this section, any
12 insurance company, hospital or medical service corporation, or health
13 care center may issue to a religious employer an individual health
14 insurance policy that excludes coverage for methods of diagnosis and
15 treatment of infertility that are contrary to the religious employer's
16 bona fide religious tenets.

17 (2) Notwithstanding any other provision of this section, upon the
18 written request of an individual who states in writing that methods of
19 diagnosis and treatment of infertility are contrary to such individual's
20 religious or moral beliefs, any insurance company, hospital or medical
21 service corporation, or health care center may issue to or on behalf of
22 the individual a policy or rider thereto that excludes coverage for such
23 methods.

24 (c) Any health insurance policy issued pursuant to subsection (b) of
25 this section shall provide written notice to each insured or prospective
26 insured that methods of diagnosis and treatment of infertility are
27 excluded from coverage pursuant to said subsection. Such notice shall
28 appear, in not less than ten-point type, in the policy, application and
29 sales brochure for such policy.

30 (d) As used in this section, "religious employer" means an employer
31 that is a "qualified church-controlled organization", as defined in 26
32 USC 3121 or a church-affiliated organization.

33 Sec. 2. Section 38a-536 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2005*):

35 [Any insurance company, hospital service corporation or medical
36 service corporation authorized to do the business of health insurance
37 in this state shall offer to any individual, partnership, corporation or
38 unincorporated association providing group hospital or medical
39 insurance coverage for its employees a group hospital or medical
40 service plan or contract providing coverage for the medically necessary
41 expenses of the diagnosis and treatment of infertility, including in-
42 vitro fertilization procedures.]

43 (a) Each group health insurance policy providing coverage of the
44 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-
45 469 delivered, issued for delivery, amended, renewed or continued in
46 this state on or after October 1, 2005, shall provide coverage for the
47 medically necessary expenses of the diagnosis and treatment of

48 infertility. For purposes of this section, "infertility" means the condition
49 of a presumably healthy individual who is unable to conceive or
50 produce conception [,] or retain a pregnancy during a one-year period.

51 (b) (1) Notwithstanding any other provision of this section, any
52 insurance company, hospital or medical service corporation, or health
53 care center may issue to a religious employer a group health insurance
54 policy that excludes coverage for methods of diagnosis and treatment
55 of infertility that are contrary to the religious employer's bona fide
56 religious tenets.

57 (2) Notwithstanding any other provision of this section, upon the
58 written request of an individual who states in writing that methods of
59 diagnosis and treatment of infertility are contrary to such individual's
60 religious or moral beliefs, any insurance company, hospital or medical
61 service corporation, or health care center may issue to or on behalf of
62 the individual a policy or rider thereto that excludes coverage for such
63 methods.

64 (c) Any health insurance policy issued pursuant to subsection (b) of
65 this section shall provide written notice to each insured or prospective
66 insured that methods of diagnosis and treatment of infertility are
67 excluded from coverage pursuant to said subsection. Such notice shall
68 appear, in not less than ten-point type, in the policy, application and
69 sales brochure for such policy.

70 (d) As used in this section, "religious employer" means an employer
71 that is a "qualified church-controlled organization", as defined in 26
72 USC 3121 or a church-affiliated organization.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	New section
Sec. 2	October 1, 2005	38a-536

Statement of Purpose:

To require health insurance coverage for medically necessary infertility diagnosis and treatment expenses.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. CRISCO, 17th Dist.; REP. KLARIDES, 114th Dist.
REP. FRITZ, 90th Dist.; REP. OLSON, 46th Dist.
REP. HOVEY, 112th Dist.; REP. PERONE, 137th Dist.

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