



General Assembly

Substitute Bill No. 5230

February Session, 2016



AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION FOR INSURED DIAGNOSED WITH CANCER.

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

1 Section 1. (NEW) (*Effective January 1, 2017*) (a) (1) Subject to the
2 limitations set forth in subsection (b) of this section and except as
3 provided in subsection (c) of this section, each individual health
4 insurance policy providing coverage of the types specified in
5 subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general
6 statutes delivered, issued for delivery, renewed, amended or
7 continued in this state shall provide coverage for embryo, oocyte and
8 sperm cryopreservation procedures, in accordance with guidelines
9 established by the American Society of Clinical Oncology, for an
10 insured who is at least eighteen years of age and has been diagnosed
11 with cancer but has not started cancer treatment, including
12 chemotherapy, biotherapy or radiation therapy treatment.

13 (2) The coverage required under this section shall include expenses
14 for evaluations, laboratory assessments, medications and treatments
15 associated with the embryo, oocyte and sperm cryopreservation
16 procedures, but shall not include costs for initial or annual storage of
17 embryos, oocytes or sperm.

18 (b) Such policy may:

19 (1) Limit such coverage to an individual until the date of such
20 individual's fortieth birthday;

21 (2) Limit such coverage for a female insured to a lifetime benefit of
22 one procedure for either embryo cryopreservation or oocyte
23 cryopreservation; and

24 (3) Limit such coverage for a male insured to a lifetime benefit of
25 one sperm cryopreservation procedure.

26 (c) (1) Any insurance company, hospital service corporation,
27 medical service corporation or health care center may issue an
28 individual health insurance policy that excludes coverage for embryo,
29 oocyte and sperm cryopreservation procedures that are contrary to an
30 individual's bona fide religious tenets.

31 (2) Upon the written request of an individual who states in writing
32 that methods of embryo, oocyte and sperm cryopreservation
33 procedures are contrary to such individual's religious or moral beliefs,
34 any insurance company, hospital service corporation, medical service
35 corporation or health care center may issue to or on behalf of the
36 individual a policy or rider thereto that excludes coverage for such
37 methods.

38 (3) Any health insurance policy issued pursuant to this subsection
39 shall provide written notice to each insured or prospective insured that
40 coverage for embryo, oocyte and sperm cryopreservation procedures
41 are excluded from coverage pursuant to this subsection. Such notice
42 shall appear, in not less than ten-point type, in the policy, application
43 and sales brochure for such policy.

44 Sec. 2. (NEW) (*Effective January 1, 2017*) (a) (1) Subject to the
45 limitations set forth in subsection (b) of this section and except as
46 provided in subsection (c) of this section, each group health insurance
47 policy providing coverage of the types specified in subdivisions (1),
48 (2), (4), (11) and (12) of section 38a-469 of the general statutes
49 delivered, issued for delivery, renewed, amended or continued in this

50 state shall provide coverage for embryo, oocyte and sperm
51 cryopreservation procedures, in accordance with guidelines
52 established by the American Society of Clinical Oncology, for an
53 insured who is at least eighteen years of age and has been diagnosed
54 with cancer but has not started cancer treatment, including
55 chemotherapy, biotherapy or radiation therapy treatment.

56 (2) The coverage required under this section shall include expenses
57 for evaluations, laboratory assessments, medications and treatments
58 associated with the embryo, oocyte and sperm cryopreservation
59 procedures, but shall not include costs for initial or annual storage of
60 embryos, oocytes or sperm.

61 (b) Such policy may:

62 (1) Limit such coverage to an individual until the date of such
63 individual's fortieth birthday;

64 (2) Limit such coverage for a female insured to a lifetime benefit of
65 one procedure for either embryo cryopreservation or oocyte
66 cryopreservation; and

67 (3) Limit such coverage for a male insured to a lifetime benefit of
68 one sperm cryopreservation procedure.

69 (c) (1) Any insurance company, hospital service corporation,
70 medical service corporation or health care center may issue to a
71 religious employer a group health insurance policy that excludes
72 coverage for embryo, oocyte and sperm cryopreservation procedures
73 that are contrary to the religious employer's bona fide religious tenets.

74 (2) Upon the written request of a religious employer that states in
75 writing that methods of embryo, oocyte and sperm cryopreservation
76 procedures are contrary to such employer's religious or moral beliefs,
77 any insurance company, hospital service corporation, medical service
78 corporation or health care center may issue to or on behalf of the
79 religious employer a policy or rider thereto that excludes coverage for

80 such methods.

81 (3) Any health insurance policy issued pursuant to this subsection
82 shall provide written notice to each insured or prospective insured that
83 coverage for embryo, oocyte and sperm cryopreservation procedures
84 are excluded from coverage pursuant to this subsection. Such notice
85 shall appear, in not less than ten-point type, in the policy, application
86 and sales brochure for such policy.

87 (4) As used in this subsection, "religious employer" means an
88 employer that is a "qualified church-controlled organization", as
89 defined in 26 USC 3121 or a church-affiliated organization.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2017</i>	New section
Sec. 2	<i>January 1, 2017</i>	New section

INS *Joint Favorable Subst.*