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Senator Cabrera, Representative Wood, Senator Hwang, Representative Pavalock-D'Amato, and members of the Insurance and Real Estate Committee:

Thank you for the opportunity to testify on HB 5378.

I believe that everyone in Connecticut – no matter who they love – should be able to start a family, and that insurance companies should cover fertility services for same-sex couples.

Last fall, I took action to ensure this for the 250,000 members of the state employee and Partnership health plans I administer as Comptroller. Today, by passing this bill along with several modifications I've identified below, we can expand that to all Connecticut residents on fully insured plans.

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In September, a state employee emailed me to say that she felt the state employee health plan that my office administers discriminated against her and her wife's ability to access fertility services. Like so many other same-sex couples, she and her wife wanted to start a family. But because of old, outdated regulations, they were unable to receive coverage for fertility treatment that would have allowed them to have a child.

This was unacceptable to me. Our team worked with labor, management, and leaders in the Connecticut LGBTQ+ community to fix this policy. To ensure that every state employee who wants to start a family, regardless of who they love, can do that we added an inclusive definition of infertility as it relates to prerequisites for coverage: "when the individual or couple does not have the necessary gametes (ova and sperm) to achieve a pregnancy."

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At the time we finalized revisions to our plan, the American Society for Reproductive Medicine had not yet issued its new definition of infertility, so the committee has an opportunity to bring the law in sync with the leading medical association of fertility care providers that was not available at the time we made our policy change.

I recommend that the committee consider adopting this alternative, more expansive definition.

I'd also encourage the Committee to amend the bill with language that removes outdated coverage requirements and aligns with the current medical standard of care.

Additionally, I recommend the inclusion of language that protects fertility preservation coverage in the case of medical procedures that could render someone infertile – whether that’s oncology, gender-affirming care, or other procedures. Fertility preservation is currently protected in the state health plan, and if we are looking to extend the protections and reforms that my office has made, this seems like a logical inclusion.

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Prior to our policy change, same-sex couples had to jump through hoops if they were looking to receive fertility treatment. They would have to request their medical provider to declare them “infertile” even if they weren’t, and when denied coverage, couples would begin extremely expensive fertility treatment that could cost tens of thousands of dollars. That’s the reality for thousands of same-sex couples under the current state law, and it should not be.

**I was able to eliminate the state health plan’s outdated and costly coverage restriction with the stroke of a pen. Now, I hope the legislature will expand these essential protections for same-sex couples starting a family by passing HB 5378.**

As reproductive rights and even fertility treatment are under attack, putting this policy into state law sends a strong signal. By passing the protections in the bill, we will be one step closer to ensuring that Connecticut is the best state in the nation to start a family.

All the best,

A handwritten signature in black ink, appearing to read "Sean Scanlon". The signature is fluid and cursive, with the first name "Sean" being more prominent than the last name "Scanlon".

Sean Scanlon  
State Comptroller