

2017 -- H 6170

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LC002543  
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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: Representatives Serpa, Bennett, McNamara, Solomon, and Shekarchi

Date Introduced: April 28, 2017

Referred To: House Corporations

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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