

JAN 25 2012

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL
EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE INFERTILITY
PROCEDURE COVERAGE.

1 WHEREAS, infertility is a disease of the reproductive
2 system that impairs one of the body's most basic functions: the
3 conception of children; and

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5 WHEREAS, in the United States, infertility affects about
6 7.3 million women and their partners, approximately twelve
7 percent of the reproductive age population, or one in eight
8 couples; and

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10 WHEREAS, most infertility cases - eighty-five to ninety
11 percent - are treated with conventional medical therapies such
12 as medication or surgery; and

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14 WHEREAS, since 1978, assisted reproductive technology, and
15 most commonly in vitro fertilization, has provided another
16 solution for many would-be parents; and

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18 WHEREAS, while vital for some patients, in vitro
19 fertilization and similar treatments account for less than three
20 percent of infertility services, and about seven-hundredths of
21 one percent (0.07 percent) of health care costs in the United
22 States; and

23
24 WHEREAS, since 1987, Hawaii has required insurance coverage
25 for the treatment of infertility through in vitro fertilization
26 under certain qualifying conditions; and

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28 WHEREAS, the existing law has a number of shortcomings, as
29 it covers only one form of assisted reproductive technologies,
30 in vitro fertilization; provides a one-time only benefit;
31 requires fertilization with sperm from the patient's spouse; and
32 applies only to an insured or an insured's covered spouse who



1 has a history of infertility of at least five years or a limited
2 number of medical conditions associated with infertility; and
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4 WHEREAS, for those couples who do not meet these
5 requirements - whether for medical or other reasons - the
6 assisted reproductive technologies not covered under existing
7 law may cost \$15,000 to \$20,000 per procedure, and must often be
8 repeated before a successful live birth; and
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10 WHEREAS, in the nearly twenty-five years since the
11 enactment of the Hawaii law requiring coverage of in vitro
12 fertilization, there have been substantial changes and
13 improvements in assisted reproductive technologies, which could
14 provide couples in Hawaii with additional treatment options
15 appropriate for their specific infertility diagnosis; and
16

17 WHEREAS, section 23-51, Hawaii Revised Statutes, requires
18 that "[b]efore any legislative measure that mandates health
19 insurance coverage for specific health services, specific
20 diseases, or certain providers of health care services as part
21 of individual or group health insurance policies, can be
22 considered, there shall be concurrent resolutions passed
23 requesting the auditor to prepare and submit to the legislature
24 a report that assesses both the social and financial effects of
25 the proposed mandated coverage"; and
26

27 WHEREAS, section 23-51, Hawaii Revised Statutes, further
28 provides that "[t]he concurrent resolutions shall designate a
29 specific legislative bill that:
30

- 31 (1) Has been introduced in the legislature; and
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- 33 (2) Includes, at minimum, information identifying the:
 - 34 (A) Specific health service, disease, or provider
35 that would be covered;
36
 - 37 (B) Extent of the coverage;
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 - 39 (C) Target groups that would be covered;
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 - 41 (D) Limits on utilization, if any; and
42
 - 43 (E) Standards of care.
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1
2 For purposes of this part, mandated health insurance coverage
3 shall not include mandated optionals"; and
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5 WHEREAS, section 23-52, Hawaii Revised Statutes, further
6 specifies the minimum information required for assessing the
7 social and financial impact of the proposed health coverage
8 mandate in the Auditor's report; and
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10 WHEREAS, S.B. No. 615, as amended, mandates infertility
11 procedure coverage for all individual and group accident and
12 health or sickness insurance policies that provide pregnancy-
13 related benefits; and
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15 WHEREAS, the Legislature believes that infertility
16 procedure coverage, as provided in S.B. No. 615, as amended,
17 will provide the people of Hawaii with expanded treatment
18 options for assisted reproductive technologies that are
19 appropriate for the specific infertility diagnosis of a patient
20 and that will assist in ensuring adequate and affordable health
21 care services for the people of this State; now, therefore,
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23 BE IT RESOLVED by the Senate of the Twenty-sixth
24 Legislature of the State of Hawaii, Regular Session of 2012, the
25 House of Representatives concurring, that the Auditor is
26 requested to conduct an impact assessment report, pursuant to
27 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social
28 and financial impacts of mandating infertility procedure
29 coverage for all individual and group accident and health or
30 sickness insurance policies that provide pregnancy-related
31 benefits, effective from the time provided in S.B. No. 615, as
32 amended; and
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34 BE IT FURTHER RESOLVED that the Auditor is requested to
35 submit findings and recommendations to the Legislature,
36 including any necessary implementing legislation, no later than
37 twenty days prior to the convening of the Regular Session of
38 2013; and
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40



S.C.R. NO. 13

1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Auditor and to the
3 Insurance Commissioner, who, in turn, is requested to transmit
4 copies to each insurer in the State that issues health insurance
5 policies.
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OFFERED BY: _____

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