
A BILL FOR AN ACT

RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that reproductive
2 technologies, such as in vitro fertilization, are extremely
3 important to many who desire to have children. The legislature
4 also finds that the State's mandate that insurance plans provide
5 a one-time benefit for costs associated with in vitro
6 fertilization procedures, though admirable, excludes same-sex
7 couples, unmarried women, and male-female couples for whom male
8 infertility is the relevant factor. While some insurers
9 independently offer policies that cover female couples or women
10 without male partners, these policies are not guaranteed by law
11 and not all cover single women. No policies currently cover
12 male couples; policies typically exclude procedures involving
13 donor oocytes and surrogates that male couples require.
14 Finally, male-female couples for whom male infertility is the
15 relevant factor are excluded through the current statutory
16 requirement that the covered treatment involve sperm from the
17 male spouse.



1 The legislature finds that the current unequal treatment of
2 individuals seeking medical fertility assistance constitutes
3 discrimination on the basis of sex, sexual orientation, and
4 marital status. In vitro fertilization procedures are
5 expensive, costing \$10,000 to \$15,000 per cycle, which is
6 approximately half of the average annual disposable income in
7 the United States. Same-sex couples, unmarried women, and male-
8 female couples affected by male infertility must unreasonably
9 bear the full cost of the procedures while male-female married
10 couples for whom female infertility is the relevant factor do
11 not bear the same burden.

12 The purpose of this Act is to create the in vitro
13 fertilization insurance coverage study group to make
14 recommendations for ensuring all state residents' equitable
15 access to insurance coverage for in vitro fertilization.

16 SECTION 2. (a) There is established as a legislative
17 study group exempt from chapter 92, Hawaii Revised Statutes, to
18 be named the in vitro fertilization insurance coverage study
19 group, which shall be appointed by the speaker of the house of
20 representatives and the president of the senate.



1 The members of the house committee on health and human
2 services and the senate committee on commerce, consumer
3 protection, and health shall serve as co-chairs of the study
4 group. Members of the study group, to be jointly appointed by
5 the speaker of the house of representatives and the president of
6 the senate, shall include:

7 (1) A representative from the department of the attorney
8 general;

9 (2) A representative from the department of human
10 services;

11 (3) A representative of the department of health;

12 (4) A representative from Kaiser Permanente; and

13 (5) A representative from Hawaii Medical Service
14 Association.

15 (b) The study group shall specifically review and analyze
16 health insurance policies available in Hawaii and the current
17 insurance requirements contained in the Hawaii Revised Statutes
18 as well as any other information identified by the study group
19 as relevant to insurance coverage of in vitro fertilization in
20 Hawaii. The study group shall also investigate the discrepancy
21 in access to in vitro fertilization services for individuals and



1 couples based on marital status, sexual orientation, and gender
2 identity.

3 The study group shall make recommendations on strategies to
4 achieve equitable access for all state residents to insurance
5 coverage for in vitro fertilization.

6 The study group shall submit its findings and
7 recommendations, including proposed legislation, to the
8 legislature no later than twenty days before the convening of
9 the regular session of 2019.

10 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

In Vitro Fertilization Insurance Coverage Study Group

Description:

Establishes the In Vitro Fertilization Insurance Coverage Study Group to examine health insurance policies and current statutes and to make policy recommendations to the Legislature prior to the convening of the 2019 legislative session. (HB2524 HD1)

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