
A BILL FOR AN ACT

RELATING TO FERTILITY PRESERVATION.

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

1 SECTION 1. The purpose of this Act is to require health
2 insurance coverage in the State for fertility preservation
3 procedures for men and women of reproductive age who have been
4 diagnosed with cancer and whose cancer or cancer treatment may
5 adversely affect their fertility.

6 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
7 amended by adding a new section to part I of article 10A to be
8 appropriately designated and to read as follows:

9 "§431:10A- Fertility preservation procedure coverage.

10 (a) Each individual and group policy of accident and health or
11 sickness insurance, other than a specified disease or other
12 limited benefit health insurance policy, issued or renewed in
13 this State after December 31, 2022, shall provide coverage for
14 standard fertility preservation services for the insured;
15 provided that:



1 (1) The insured is diagnosed with a cancer that may, or
2 whose treatment may, adversely affect the fertility of
3 the insured; and

4 (2) The standard fertility preservation services are
5 deemed reasonably necessary for the insured.

6 (b) For the purposes of this section, "standard fertility
7 preservation services" means procedures consistent with
8 established medical practices and professional guidelines
9 published by the American Society for Reproductive Medicine or
10 American Society of Clinical Oncology or as defined by the
11 department of health. "Standard fertility preservation
12 services" includes the storage of sperm or oocytes for one
13 year."

14 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
15 amended by adding a new section to part VI of article 1 to be
16 appropriately designated and to read as follows:

17 **"§432:1- Fertility preservation procedure coverage.**

18 (a) Each individual and group hospital or medical service plan
19 contract issued or renewed in this State after December 31,
20 2022, shall provide coverage for standard fertility preservation



1 services for the member and any individual covered under the
2 plan contract; provided that:

3 (1) The member or covered individual is diagnosed with a
4 cancer that may, or whose treatment may, adversely
5 affect the fertility of the member; and

6 (2) The standard fertility preservation services are
7 deemed reasonably necessary for the insured.

8 (b) For the purposes of this section, "standard fertility
9 preservation services" means procedures consistent with
10 established medical practices and professional guidelines
11 published by the American Society for Reproductive Medicine or
12 American Society of Clinical Oncology or as defined by the
13 department of health. "Standard fertility preservation
14 services" includes the storage of sperm or oocytes for one
15 year."

16 SECTION 4. Section 432D-23, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§432D-23 Required provisions and benefits.**

19 Notwithstanding any provision of law to the contrary, each
20 policy, contract, plan, or agreement issued in the State after
21 January 1, 1995, by health maintenance organizations pursuant to



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1 this chapter, shall include benefits provided in sections
 2 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
 3 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,
 4 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132,
 5 431:10A-133, 431:10A-134, 431:10A-140, and [~~431:10A-134,~~]
 6 431:10A- , and chapter 431M."

7 SECTION 5. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on July 1, 2022.

10

INTRODUCED BY: George Ann B/R

JAN 25 2022



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Report Title:

Fertility Preservation Procedures; Cancer; Insurance Coverage

Description:

Requires insurers, mutual benefit societies, and health maintenance organizations to provide coverage for fertility preservation procedures for those who have been diagnosed with cancer and whose cancer or cancer treatment may adversely affect their fertility.

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