

HB4331



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4331

Introduced 2/27/2009, by Rep. Deborah Mell

SYNOPSIS AS INTRODUCED:

215 ILCS 5/356m

from Ch. 73, par. 968m

Amends the Illinois Insurance Code. Provides that no group policy of accident and health insurance providing coverage for more than 25 employees that provides pregnancy related benefits shall contain a provision that covers the diagnosis and treatment of infertility only if the individual was covered under the policy for at least one year. Deletes a definition for "infertility".

LRB096 08444 RPM 18561 b

A BILL FOR

1 AN ACT concerning insurance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by
5 changing Section 356m as follows:

6 (215 ILCS 5/356m) (from Ch. 73, par. 968m)
7 Sec. 356m. Infertility coverage.

8 (a) No group policy of accident and health insurance
9 providing coverage for more than 25 employees that provides
10 pregnancy related benefits may be issued, amended, delivered,
11 or renewed in this State after the effective date of this
12 amendatory Act of 1991 unless the policy contains coverage for
13 the diagnosis and treatment of infertility including, but not
14 limited to, in vitro fertilization, uterine embryo lavage,
15 embryo transfer, artificial insemination, gamete
16 intrafallopian tube transfer, zygote intrafallopian tube
17 transfer, and low tubal ovum transfer.

18 (b) The coverage required under subsection (a) is subject
19 to the following conditions:

20 (1) Coverage for procedures for in vitro
21 fertilization, gamete intrafallopian tube transfer, or
22 zygote intrafallopian tube transfer shall be required only
23 if:

1 (A) the covered individual has been unable to
2 attain or sustain a successful pregnancy through
3 reasonable, less costly medically appropriate
4 infertility treatments for which coverage is available
5 under the policy, plan, or contract;

6 (B) the covered individual has not undergone 4
7 completed oocyte retrievals, except that if a live
8 birth follows a completed oocyte retrieval, then 2 more
9 completed oocyte retrievals shall be covered; and

10 (C) the procedures are performed at medical
11 facilities that conform to the American College of
12 Obstetric and Gynecology guidelines for in vitro
13 fertilization clinics or to the American Fertility
14 Society minimal standards for programs of in vitro
15 fertilization.

16 (2) The procedures required to be covered under this
17 Section are not required to be contained in any policy or
18 plan issued to or by a religious institution or
19 organization or to or by an entity sponsored by a religious
20 institution or organization that finds the procedures
21 required to be covered under this Section to violate its
22 religious and moral teachings and beliefs.

23 (c) No group policy of accident and health insurance
24 providing coverage for more than 25 employees that provides
25 pregnancy related benefits shall contain a provision that
26 covers the diagnosis and treatment of infertility only if the

1 individual was covered under the policy for at least one year.

2 ~~For purpose of this Section, "infertility" means the inability~~

3 ~~to conceive after one year of unprotected sexual intercourse or~~

4 ~~the inability to sustain a successful pregnancy.~~

5 (Source: P.A. 89-669, eff. 1-1-97.)