

**HOUSE BILL NO. 412****IN THE LEGISLATURE OF THE STATE OF ALASKA****SEVENTEENTH LEGISLATURE - SECOND SESSION****BY REPRESENTATIVES KOPONEN, Gruenberg****Introduced: 1/21/92****Referred: Labor & Commerce, Health, Education & Social Services, Finance****A BILL****FOR AN ACT ENTITLED****1 "An Act relating to insurance for infertility."****2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:****3 \* Section 1. AS 21.42 is amended by adding a new section to read:**

**4           Sec. 21.42.357. COVERAGE FOR INFERTILITY. (a) An insurer authorized under**  
**5 AS 21.09 to offer, issue for delivery, deliver, or renew a disability insurance policy for medical**  
**6 coverage on an expense incurred basis in the state, or a hospital service corporation or medical**  
**7 service corporation authorized under AS 21.87 to offer or renew a subscriber's contract for**  
**8 medical coverage in the state, that provides coverage for hospital and surgical expenses, shall also**  
**9 provide, to the same extent that benefits are provided for medical conditions other than infertility,**  
**10 coverage for all nonexperimental infertility procedures, including artificial insemination, in vitro**  
**11 fertilization, and embryo placement.**

**12           (b) The insurer, hospital service corporation, or medical service corporation providing**  
**13 benefits to a covered person under this section may not**

**14           (1) limit coverage for infertility related drugs unless the limitation is imposed on**

- 1 **other prescription drugs;**
- 2           (2) **exclude from coverage costs associated with sperm, egg, or inseminated egg**
- 3 **procurement, processing, and banking if the donor is the covered spouse;**
- 4           (3) **impose a preexisting condition exclusion or preexisting condition waiting**
- 5 **period regarding infertility benefits;**
- 6           (4) **use a prior diagnosis of or prior treatment for infertility to exclude, limit, or**
- 7 **restrict coverage regarding infertility benefits;**
- 8           (5) **impose a deductible, copayment, coinsurance, benefit maximum, or waiting**
- 9 **period that is different than that imposed on benefits provided for coverage of other medical**
- 10 **expenses.**
- 11           (c) **The insurer, hospital service corporation, or medical service corporation may**
- 12               (1) **deny coverage for**
- 13                   (A) **an experimental infertility procedure, including but not limited to**
- 14 **gamete intra-fallopian transfer;**
- 15                   (B) **surrogacy;**
- 16                   (C) **reversal of voluntary sterilization;**
- 17                   (D) **the fourth or greater in vitro fertilization cycle;**
- 18               (2) **establish eligibility requirements related to the covered person's medical**
- 19 **history;**
- 20               (3) **establish standards relating to provider contracts.**
- 21           (d) **In this section,**
- 22               (1) **"covered person" means the insured or subscriber or the insured or**
- 23 **subscriber's covered spouse or dependent child;**
- 24               (2) **"experimental infertility procedure" means a procedure not yet recognized as**
- 25 **generally accepted or nonexperimental by the American Fertility Society or the American College**
- 26 **of Obstetrics and Gynecology;**
- 27               (3) **"infertility" means the condition of a presumably healthy individual who is**
- 28 **unable to conceive or produce conception for a period of at least one year of unprotected**
- 29 **intercourse before diagnosis and treatment for infertility;**
- 30               (4) **"nonexperimental infertility procedure" means a procedure recognized as**
- 31 **generally accepted or nonexperimental by the American Fertility Society or the American Society**

1 of Obstetrics and Gynecology.

2 \* Sec. 2. AS 21.42.357, enacted by sec. 1 of this Act, applies to disability insurance policies and to  
3 hospital service subscriber or medical service subscriber contracts entered into or renewed on or after  
4 the effective date of this Act.