

House Bill 1204

By: Representatives Lumsden of the 12th, Hawkins of the 27th, Cooper of the 45th, Silcox of the 53rd, and Taylor of the 173rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to require coverage for medically necessary expenses for standard
3 fertility preservation services when a medically necessary treatment for cancer, sickle cell
4 disease, or lupus may directly or indirectly cause iatrogenic infertility; to provide for
5 definitions; to provide for related matters; to provide for an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
10 generally, is amended by adding a new Code section to read as follows:

11 "33-24-59.34.

12 (a) As used in this Code section, the term:

13 (1) 'Health benefit policy' means any individual or group plan, policy, or contract for
14 healthcare services issued, delivered, issued for delivery, or renewed in this state, by an
15 insurer that provides major medical benefits, including those plans, policies, or contracts

16 executed by the state on behalf of state employees under Article 1 of Chapter 18 of
17 Title 45.

18 (2) 'Iatrogenic infertility' means an impairment of fertility caused directly or indirectly
19 by surgery, chemotherapy, radiation, or other medically necessary treatment for cancer,
20 sickle cell disease, or lupus.

21 (3) 'Insurer' means any person, corporation, or other entity authorized to provide health
22 benefit policies under this title, including a healthcare corporation, health maintenance
23 organization, preferred provider organization, accident and sickness insurer, fraternal
24 benefit society, hospital service corporation, medical service corporation, or a similar
25 entity.

26 (4) 'Medically necessary treatment for cancer, sickle cell disease, or lupus may directly
27 or indirectly cause iatrogenic infertility' means a medically necessary treatment for
28 cancer, sickle cell disease, or lupus with a potential side effect of impaired fertility. Such
29 treatment includes but is not limited to surgical removal of the gonads, chemotherapy,
30 radiation therapy, and bone marrow transplantation.

31 (5) 'Standard fertility preservation services' means procedures to preserve fertility that
32 are consistent with established medical practices or professional guidelines. Such
33 services include but are not limited to egg, sperm, embryo, and ovarian tissue
34 cryopreservation.

35 (b) Every health benefit policy renewed or issued after July 1, 2025, shall include coverage
36 for medically necessary expenses for standard fertility preservation services when a
37 medically necessary treatment for cancer, sick cell disease, or lupus may directly or
38 indirectly cause iatrogenic infertility to a covered person. Such coverage shall include
39 evaluation expenses, laboratory assessments, medications, and treatment associated with
40 standard fertility preservation services, including storage of gametes for up to one year.

41 (c) The coverage provided for in subsection (b) of this Code section may:

42 (1) Exclude costs associated with storage of gametes for more than one year;

43 (2) Include age restrictions;

44 (3) Include a lifetime limit per procedure per eligible insured; and

45 (4) Be limited to nonexperimental procedures.

46 (d) The benefits in a health benefit policy as provided in subsection (b) of this Code
47 section shall be subject to the same deductibles, coinsurance, and copayment provisions
48 established for all covered benefits within such health benefit policy. Special deductibles,
49 coinsurance, copayment, or other limitations that are not generally applicable to other
50 hospital, medical, or surgical services covered by a health benefit policy shall not be
51 imposed on coverage for standard fertility preservation services.

52 (e) The Commissioner shall promulgate rules and regulations necessary to implement the
53 provisions of this Code section in accordance with current guidelines established by
54 professional medical organizations such as the American Society of Clinical Oncology or
55 the American Society for Reproductive Medicine."

56 **SECTION 2.**

57 This Act shall become effective upon its approval by the Governor or upon its becoming law
58 without such approval.

59 **SECTION 3.**

60 All laws and parts of laws in conflict with this Act are repealed.