

## SB0019S01 compared with SB0019

~~{deleted text}~~ shows text that was in SB0019 but was deleted in SB0019S01.

inserted text shows text that was not in SB0019 but was inserted into SB0019S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Luz Escamilla proposes the following substitute bill:

### EXPANDED INFERTILITY TREATMENT COVERAGE PILOT

#### PROGRAM AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Luz Escamilla**

House Sponsor: Candice B. Pierucci

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#### LONG TITLE

##### ~~{Committee Note:~~

~~—————The Retirement and Independent Entities Interim Committee recommended this bill.~~

~~—————Legislative Vote: 14 voting for 0 voting against 1 absent~~

##### ~~{General Description:~~

This bill amends the expanded infertility treatment coverage pilot program.

##### **Highlighted Provisions:**

This bill:

- ▶ ~~{extends the duration of}~~ defines "qualified assisted reproductive technology cycle";
- ▶ modifies the expanded infertility treatment coverage pilot program~~;~~
- ▶ ~~extends the repeal date of the expanded infertility treatment coverage pilot program~~

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to January 1, 2027, and} by:

- providing an additional three years of coverage; and
- providing coverage for each qualified assisted reproductive technology cycle;
- ▶ introduces a reporting requirement to evaluate the expanded infertility treatment coverage pilot program~~{.}~~;
- ▶ extends the repeal date of the expanded infertility treatment coverage pilot program;
- and
- ▶ makes technical changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**49-20-418**, as enacted by Laws of Utah 2018, Chapter 357

**63I-1-249**, as last amended by Laws of Utah 2020, Chapter 98

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **49-20-418** is amended to read:

**49-20-418. Expanded infertility treatment coverage pilot program.**

(1) As used in this section:

(a) "Assisted reproductive technology" means the same as the term is defined in 42

[U.S. Code ~~{}~~ U.S.C. Sec. 26-3a-7a] U.S.C. Sec. 263a-7.

(b) "Physician" means the same as the term is defined in Section 58-67-102.

(c) "Pilot program" means the expanded infertility treatment coverage pilot program described in Subsection (2).

(d) "Qualified assisted reproductive technology cycle" means the use of assisted reproductive technology to transfer a single embryo for implantation.

~~(d)~~ (e) "Qualified individual" means a covered individual who is eligible for maternity benefits under the program.

(2) (a) Beginning plan year 2018-19, and ending plan year [2020-21]

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~~(2025-26)~~2023-24, the program shall offer a [3-year] pilot program within the state risk pool that provides coverage to a qualified individual for the use of an assisted reproductive technology.

~~(b) The~~ (b) (i) For plan year 2018-19, 2019-20, or 2020-21, the pilot program shall offer a one-time ~~[, lifetime maximum]~~ benefit of \$4,000 toward the costs of using an assisted reproductive technology for each qualified individual.

(ii) For plan year 2021-22, 2022-23, or 2023-24, the pilot program shall offer a benefit of \$4,000 to a qualified individual toward the costs of each qualified assisted reproductive technology cycle.

(c) The ~~[benefit]~~ benefits described in Subsection (2)(b) ~~[is]~~ are subject to the same cost sharing requirements as the covered individual's plan.

(3) Coverage offered under the pilot program applies if:

(a) the patient who will use the assisted reproductive technology is a qualified individual;

(b) (i) the patient's physician verifies that the patient or the patient's spouse has a demonstrated condition recognized by a physician as a cause of infertility; or

(ii) the patient attests that the patient is unable to conceive a pregnancy or carry a pregnancy to a live birth after a year or more of regular sexual relations without contraception;

(c) the patient attests that the patient has been unable to attain a successful pregnancy through any less-costly, potentially effective infertility treatments for which coverage is available under the health benefit plan; and

(d) the use of the assisted reproductive technology procedure is performed at a medical facility that conforms to the minimal standards for programs of assisted reproductive technology procedures adopted by the American Society for Reproductive Medicine.

(4) Coverage offered under the pilot program:

~~[(a) may not exceed \$4,000 over the lifetime of each qualified individual;]~~

~~[(b)]~~ (a) shall satisfy, in accordance with Subsection 31A-22-610.1(1)(c)(ii), the requirement to provide an adoption indemnity benefit to a qualified individual under Section 31A-22-610.1; ~~[and]~~

~~[(c)]~~ (b) does not apply to a qualified individual if the qualified individual has received the adoption indemnity benefit required under Section 31A-22-610.1 ~~[; and]~~

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(c) for plan year 2021-22, 2022-23, or 2023-24, shall apply to a qualified individual, even if the qualified individual received the benefit described in Subsection (2)(b)(i).

(5) (a) The purpose of the pilot program is to study the efficacy of providing coverage for the use of an assisted reproductive technology and is not a mandate for coverage of an assisted reproductive technology within all health plans offered by the program.

(b) Before November 30, 2021, the program shall report to the Social Services Appropriations Subcommittee regarding the costs and benefits of the pilot program.

(c) On or after May 1, ~~2025~~2023, ~~but~~and on or before October 1, ~~2025~~2023, the program shall report to the Retirement and Independent Entities Interim Committee regarding the costs and benefits of the pilot program.

(6) Under Section 63J-1-603, the Legislature intends that the cost of the pilot program will be paid from money above the minimum recommended level in the public employees' state risk pool reserve.

Section 2. Section **63I-1-249** is amended to read:

### **63I-1-249. Repeal dates, Title 49.**

(1) Title 49, Chapter 11, Part 13, Phased Retirement, is repealed January 1, 2025.

(2) Section 49-20-418 is repealed January 1, [2022] ~~2027~~2025.