

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1461

Short Title: Insurance Coverage/Infertility.

(Public)

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Sponsors: Senators Allran; Cochrane and Forrester.

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Referred to: Pensions & Retirement and Insurance.

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May 28, 1998

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE NORTH CAROLINA TEACHERS' AND STATE  
2 EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, AND  
3 INSURANCE COMPANIES AND HEALTH MAINTENANCE ORGANIZATIONS  
4 DOING BUSINESS IN THIS STATE, TO PROVIDE COVERAGE FOR  
5 INFERTILITY TREATMENT.  
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7 The General Assembly of North Carolina enacts:

8 Section 1. (a) Effective January 1, 1999, G.S. 135-40.6(8) is amended by  
9 adding the following new sub-subdivision to read:

10 "u. Infertility: Infertility studies, in vitro fertilizations, ovum implant  
11 placements or transfers, gamete and zygote intrafallopian  
12 transfers, intracytoplasmic sperm injections, varicocele ligations,  
13 and vasovasostomies and sperm aspirations performed in  
14 medically supervised facilities when recommended by an  
15 attending physician and approved by the Executive Administrator  
16 and Board of Trustees. In vitro fertilizations, ovum implant  
17 placements or transfers, gamete and zygote intrafallopian  
18 transfers, intracytoplasmic sperm injections, varicocele ligations,  
19 and vasovasostomies and sperm aspirations are covered on the  
20 same basis as for maternity benefits."

1 (b) Effective January 1, 1999, G.S. 135-40.6A(a) is amended by adding the  
2 following new subdivision to read:

3 "(9) In vitro fertilizations, ovum implant placements or transfers, gamete and  
4 zygote intrafallopian transfers, intracytoplasmic sperm injections,  
5 varicocele ligations, and vasovasostomies and sperm aspirations in  
6 accordance with G.S. 135-40.6(8)u."

7 Section 2. Article 51 of Chapter 58 of the General Statutes is amended by  
8 adding the following new section to read:

9 "**§ 58-51-63. Coverage for infertility treatment.**

10 (a) Every policy or contract of accident and health insurance, and every preferred  
11 provider benefit plan under G.S. 58-50-60 that is issued, renewed, or amended on or after  
12 January 1, 1999, that provides maternity benefits shall provide coverage for the diagnosis  
13 and treatment of infertility. The same deductibles, coinsurance, and other limitations as  
14 apply to similar services covered under the policy, contract, or plan shall apply to  
15 coverage for infertility treatment.

16 (b) As used in this section, 'infertility treatment' means infertility studies, in vitro  
17 fertilizations, ovum implant placements or transfers, gamete and zygote intrafallopian  
18 transfers, intracytoplasmic sperm injections, varicocele ligations, and vasovasostomies and  
19 sperm aspirations performed in medically supervised facilities when recommended by an  
20 attending physician."

21 Section 3. Article 65 of Chapter 58 of the General Statutes is amended by  
22 adding the following new section to read:

23 "**§ 58-65-97. Coverage for infertility treatment.**

24 (a) Every insurance certificate or subscriber contract under any hospital service  
25 plan or medical service plan governed by this Article and Article 66 of this Chapter, and  
26 every preferred provider benefit plan under G.S. 58-50-56 that is issued, renewed, or  
27 amended on or after January 1, 1999, that provides maternity benefits shall provide  
28 coverage for the diagnosis and treatment of infertility. The same deductibles,  
29 coinsurance, and other limitations as apply to similar services covered under the  
30 certificate, contract, or plan shall apply to coverage for infertility treatment.

31 (b) As used in this section, 'infertility treatment' means infertility studies, in vitro  
32 fertilizations, ovum implant placements or transfers, gamete and zygote intrafallopian  
33 transfers, intracytoplasmic sperm injections, varicocele ligations, and vasovasostomies and  
34 sperm aspirations performed in medically supervised facilities when recommended by an  
35 attending physician."

36 Section 4. Article 67 of Chapter 58 of the General Statutes is amended by  
37 adding the following new section to read:

38 "**§ 58-67-81. Coverage for infertility treatment.**

39 (a) Every health care plan written by a health maintenance organization and in  
40 force, issued, renewed, or amended on or after January 1, 1999, that is subject to this  
41 Article and that provides maternity benefits shall provide coverage for the diagnosis and  
42 treatment of infertility. The same deductibles, coinsurance, and other limitations as apply  
43 to similar services covered under the plan shall apply to coverage for infertility treatment.

1 (b) As used in this section, 'infertility treatment' means infertility studies, in vitro  
2 fertilizations, ovum implant placements or transfers, gamete and zygote intrafallopian  
3 transfers, intracytoplasmic sperm injections, varicocele ligations, and vasovasostomies and  
4 sperm aspirations performed in medically supervised facilities when recommended by an  
5 attending physician."

6 Section 5. Effective January 1, 1999, G.S. 58-50-155 reads as rewritten:  
7 **"§ 58-50-155. Standard and basic health care plan coverages.**

8 (a) Notwithstanding G.S. 58-50-125(c), the standard health plan developed and  
9 approved under G.S. 58-50-125 shall provide coverage for all of the following:

10 (1) ~~for mammograms~~ Mammograms and pap smears at least equal to the  
11 coverage required by G.S. 58-51-57.

12 ~~(a1) Notwithstanding G.S. 58-50-125(c), the standard health plan developed and~~  
13 ~~approved under G.S. 58-50-125 shall provide coverage for~~

14 (2) ~~prostate specific~~ Prostate-specific antigen (PSA) tests or equivalent tests  
15 for the presence of prostate cancer at least equal to the coverage  
16 required by G.S. 58-51-58.

17 ~~(a2) Notwithstanding G.S. 58-50-123(c), the standard health plan developed and~~  
18 ~~approved under G.S. 58-50-125 shall provide coverage for~~

19 (3) ~~reconstructive~~ Reconstructive breast surgery resulting from a  
20 mastectomy at least equal to the coverage required by G.S. 58-51-62.

21 (4) Infertility treatment at least equal to the coverage required by G.S. 58-  
22 51-63.

23 (b) Notwithstanding G.S. 58-50-125(c), in developing and approving the plans  
24 under G.S. 58-50-125, the Committee and Commissioner shall give due consideration to  
25 cost-effective and life-saving health care services and to cost-effective health care  
26 providers. This section shall be effective after July 10, 1991."

27 Section 6. Nothing in this act shall apply to specific accident, specified disease,  
28 hospital indemnity, or long-term care health insurance policies.

29 Section 7. This act is effective when it becomes law.