

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 849

Short Title: Infertility Treatment Coverage.

(Public)

Sponsors: Senators Basnight, Sands, Daniel; and Taft.

Referred to: State Personnel.

April 11, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN PROVIDE BENEFITS FOR THE TREATMENT OF INFERTILITY TO THE SAME EXTENT THAT IT PROVIDES BENEFITS FOR PREGNANCY-RELATED CARE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 135 of the General Statutes is amended by adding a new section to read:

"§ 135-40.7B. Special provisions for infertility treatment.

(a) Subject to the limitations of this section, benefits for the diagnosis and treatment of infertility, using medically recognized, nonexperimental procedures, are covered by the Plan. These benefits shall include in vitro fertilization procedures performed on the covered individual or the covered individual's dependent spouse, subject to the conditions in subsection (b). Benefits for infertility treatment shall be subject to the same durational limits, dollar limits, deductibles, and coinsurance factors as are benefits under the health care plan for pregnancy- related care.

(b) The following conditions shall apply to coverage for in vitro fertilization:

(1) The patient has been unable to attain a successful pregnancy through any less costly applicable infertility treatments;

(2) The patient's oocytes are fertilized with sperm from the patient's spouse, unless the spouse is diagnosed as having oligospermia in which case donor sperm may be used;

1 (3) The patient and the patient's spouse have a history of infertility of at
2 least five years' duration or the infertility is associated with one or
3 more of the following medical conditions:

4 a. Endometriosis;

5 b. Exposure in utero to diethylstilbestrol (DES);

6 c. Blockage of or surgical removal of one or both fallopian tubes
7 resulting from disease or tubal pregnancy; or

8 d. Oligospermia.

9 When the patient is 30 or more years of age, the required history of
10 infertility shall be reduced to two years' duration;

11 (4) The medical facility in which the procedures are performed has an
12 active membership in the Society of Assisted Reproductive
13 Technology of the American Fertility Society and conforms to the
14 guidelines for in vitro fertilization clinics of the American College of
15 Obstetrics and Gynecology or the minimum standards for programs of
16 in vitro fertilization of the American Fertility Society."

17 Sec. 2. This act is effective upon ratification.