

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend \_\_\_\_\_ SCS/HCS/House Bill No. 399, Page 1, Section Title, Line 3,

2 striking all of said line and inserting in lieu thereof the  
 3 following: "relating to required coverages for health benefit  
 4 plans."; and

5 Further amend said bill and page, section A, line 2, by  
 6 inserting immediately after said line the following:

7 "376.1211. 1. As used in this section, the following terms  
 8 shall mean:

9 (1) "Health benefit plan", the same meaning as defined in  
 10 section 376.1350;

11 (2) "Infertility", the inability to conceive after one year  
 12 of unprotected sexual intercourse or the inability to sustain a  
 13 successful pregnancy.

14 2. No health benefit plan providing coverage for more than  
 15 twenty-five employees that provides pregnancy related benefits  
 16 shall be issued, amended, delivered, or renewed in this state  
 17 after August 28, 2019, unless the plan contains coverage for the  
 18 diagnosis and treatment of infertility, including but not limited  
 19 to in vitro fertilization, uterine embryo lavage, embryo  
 20 transfer, artificial insemination, gamete intrafallopian tube  
 21 transfer, or zygote intrafallopian tube transfer, and low tubal  
 22 ovum transfer.

23 3. The coverage required under subsection 2 of this section

1 for in vitro fertilization, gamete intrafallopian tube transfer,  
2 or zygote intrafallopian tube transfer shall be required only if:

3 (1) The covered individual has been unable to attain or  
4 sustain a successful pregnancy through reasonable, less costly  
5 medically appropriate infertility treatments for which coverage  
6 is available under the health benefit plan;

7 (2) The covered individual has not undergone four completed  
8 oocyte retrievals, except that if a live birth follows a  
9 completed oocyte retrieval, then two more completed oocyte  
10 retrievals shall be covered; and

11 (3) The procedures are performed at medical facilities that  
12 conform to the American College of Obstetric and Gynecology  
13 guidelines for in vitro fertilization clinics or to the American  
14 Fertility Society minimal standards for programs of in vitro  
15 fertilization.

16 4. The procedures required to be covered under this section  
17 are not required to be contained in any health benefit plan  
18 issued to or by a religious institution or organization, or to or  
19 by an entity sponsored by a religious institution or  
20 organization, that finds the procedures required to be covered  
21 under this section to violate its religious and moral teachings  
22 and beliefs."; and

23 Further amend the title and enacting clause accordingly.  
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