

130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 922

H.P. 678

House of Representatives, March 8, 2021

An Act To Help Cancer Patients with Fertility Preservation

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative CRAVEN of Lewiston. Cosponsored by Representatives: STOVER of Boothbay, WHITE of Waterville, Senator: LIBBY of Androscoggin.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 24-A MRSA §4320-P is enacted to read:
3	§4320-P. Coverage for fertility preservation services for enrollees with cancer
4 5	<u>1. Definitions.</u> As used in this section, unless the context otherwise indicates, the following terms have the following meanings.
6 7 8 9	A. "Fertility preservation services" means fertility preservation procedures consistent with established medical practice and professional guidelines published by the American Society for Reproductive Medicine or the American Society of Clinical Oncology or their successor organizations.
10 11 12	<u>B.</u> "Iatrogenic infertility" means an impairment of fertility caused by surgery for the treatment of cancer, radiation, chemotherapy or any other cancer treatment affecting reproductive organs or processes.
13 14 15 16	2. Required coverage. Except as provided in subsection 4, a carrier offering a health plan in this State shall provide coverage for fertility preservation services for an enrollee who is at least 18 years of age and has been diagnosed with cancer for which necessary cancer treatment may directly or indirectly cause iatrogenic infertility.
17 18 19 20	3. Limits; deductible; copayment; coinsurance. A health plan that provides coverage required by this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.
21 22 23 24 25 26 27 28 29 30	4. Exclusion for religious employer. A religious employer may request and a carrier shall grant an exclusion under the policy or contract for the coverage required by this section if the required coverage conflicts with the religious employer's bona fide religious beliefs and practices. A religious employer that obtains an exclusion under this subsection shall provide prospective enrollees and enrollees under its policy written notice of the exclusion. For the purposes of this section, "religious employer" means an employer that is a church, a convention or association of churches or an elementary or secondary school that is controlled, operated or principally supported by a church or by a convention or association of churches as defined in 26 United States Code, Section 3121(w)(3)(A) and that qualifies as a tax-exempt organization under 26 United States Code, Section 501(c)(3).
31 32 33 34	Sec. 2. Application. This Act applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2022. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.
35	SUMMARY
36 37 38 39	This bill requires insurance carriers offering health plans in this State to provide coverage for fertility preservation services when necessary cancer treatment may directly or indirectly cause infertility. The requirements of the bill apply to health plans issued or renewed on or after January 1, 2022.