

Hon. Heather Sanborn
Senate Chair
Hon. Denise Tepler
House Chair
Joint Standing Committee on Health Coverage and Insurance and Financial Affairs
State House Station 100
Augusta ME 04330

May 5, 2021

Re: **L.D. 1539**, *An Act Provide Access to Infertility Care*

Dear Senator Sanborn, representative Tepler and members of the Joint Standing Committee on Health Coverage and Insurance and Financial Services:

Good afternoon Senator Sanborn, Representative Tepler, and members of the Joint Standing Committee on Health Coverage and Insurance and Financial Services. I apologize for not being present to deliver this testimony however the Maine State Chamber wishes to go on record in opposition to **L.D. 1539**, *An Act Provide Access to Infertility Care*

L.D. 1539 would require group health insurance policies to cover infertility treatment and services. Similar proposals to L.D. 1539 were considered by the in 2004, 2007,2011 and again in 2015. The mandate report developed in 2003 by the Bureau of Insurance estimated, at that time, a premium increase of 1.4%. It also estimated that the covered services would benefit 18,000 Maine women in total and about 4,000 in any given year. Given the time that has elapsed since this last report, one can only imagine that both the cost, and utilization will have increased.

No matter how well-intentioned mandated benefit coverage may be, there is a cost associated with its enactment. Over the years, the Maine legislature has authorized the inclusion of a numerous mandated benefits into our insurance code. According to the Bureau of Insurance website and the most recent report I last saw (2019), the legislature has enacted or expanded upon previously established mandated benefit coverage more than 39 times since 1975. Some of these mandates have larger cost implications than others; however, the Bureau of Insurance has estimated that their total cost implications for amounts to 10.63 % for groups over 20, 10.68% for groups of 20 or fewer, and 9.33% for individual ratepayers.

Most employers I have spoken with want to do the right thing for their workers by providing access to health insurance, both because they feel a social responsibility to do so, but also because it helps both attract and retain quality workers. But our economy continues to

recover from a global pandemic that has placed Maine small businesses under stress like nothing ever encountered or imagined.

We know everyday employers across this state are faced with making difficult choices; choices like whether or not they will be here tomorrow, whether or not to lay off or rehire their workers, whether or not to remain here, whether they can afford to provide a pay raise, or whether or not they can afford to continue their health insurance coverage for their employees. Those are cost based choices that public policy outcomes like the one proposed by L.D. 1539 may in fact impact. We know this because they tell us so. As our organization has said before this committee many times, mandated benefits, no matter how well intentioned, serve no purpose if they push health insurance premiums beyond the reach of either the employer or the employee. The challenge for employers to maintain their health insurance benefits in the coming months will depend on many things, and the cost of that insurance is chief among them.

We are deeply sympathetic to the plight of those parents and individuals who wish to have children but cannot. We clearly see the benefit such a mandate would bring to these folks. But at the same time, it will raise the rates of others by socializing the cost across all insureds, whether they access this mandate or not. Because this mandate holds the potential for further increases in health care costs in Maine, and the concerns businesses have regarding the existing cost of health insurance moving forward, we are opposed to legislation that may add, even in a small way, to future costs. It is for this reason the Maine State Chamber of Commerce is opposed to L.D. 1539. Thank you for your attention to our testimony.

Sincerely,

Peter M. Gore
Executive Vice President
Maine State Chamber of Commerce