

SENATE BILL NO. 522

April 20, 1999, Introduced by Senators A. SMITH and PETERS and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 21053e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21053E. (1) ON AND AFTER JANUARY 1, 2000, EACH HEALTH
2 MAINTENANCE ORGANIZATION GROUP CONTRACT THAT COVERS 10 OR MORE
3 EMPLOYEES OR MEMBERS AND PROVIDES PREGNANCY-RELATED COVERAGE
4 SHALL PROVIDE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF INFER-
5 TILITY, INCLUDING, BUT NOT LIMITED TO, IN VITRO FERTILIZATION,
6 EMBRYO TRANSFER, ARTIFICIAL INSEMINATION, GAMETE INTRAFALLOPIAN
7 TUBE TRANSFER, ZYGOTE INTRAFALLOPIAN TUBE TRANSFER, AND INTRACY-
8 TOPLASMIC SPERM INJECTION.
9 (2) COVERAGE UNDER SUBSECTION (1) FOR IN VITRO
10 FERTILIZATION, GAMETE INTRAFALLOPIAN TUBE TRANSFER, OR ZYGOTE

1 INTRAFALLOPIAN TUBE TRANSFER IS REQUIRED ONLY IF ALL OF THE
2 FOLLOWING APPLY:

3 (A) THE COVERED INDIVIDUAL HAS BEEN UNABLE TO ATTAIN OR SUS-
4 TAIN A SUCCESSFUL PREGNANCY THROUGH REASONABLE, LESS COSTLY MEDI-
5 CALLY APPROPRIATE INFERTILITY TREATMENTS FOR WHICH COVERAGE IS
6 AVAILABLE UNDER THE CONTRACT.

7 (B) THE COVERED INDIVIDUAL HAS NOT UNDERGONE 3 OR MORE COM-
8 PLETED OOCYTE RETRIEVALS. HOWEVER, IF A LIVE BIRTH FOLLOWS A
9 COMPLETED OOCYTE RETRIEVAL, THEN 2 MORE COMPLETED OOCYTE RETRIEV-
10 ALS SHALL BE COVERED.

11 (C) THE PROCEDURES ARE PERFORMED AT MEDICAL FACILITIES THAT
12 CONFORM TO THE AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE GUIDE-
13 LINES FOR IN VITRO FERTILIZATION CLINICS AND MINIMAL STANDARDS
14 FOR PROGRAMS OF IN VITRO FERTILIZATION.

15 (3) THE PROCEDURES REQUIRED TO BE COVERED UNDER THIS SECTION
16 ARE NOT REQUIRED TO BE CONTAINED IN ANY CONTRACT ISSUED TO A
17 RELIGIOUS INSTITUTION OR ORGANIZATION OR TO AN ENTITY SPONSORED
18 BY A RELIGIOUS INSTITUTION OR ORGANIZATION THAT FINDS THE PROCE-
19 DURES REQUIRED TO BE COVERED UNDER THIS SECTION TO VIOLATE ITS
20 RELIGIOUS AND MORAL TEACHINGS AND BELIEFS.

21 (4) AS USED IN THIS SECTION, "INFERTILITY" MEANS THE INABIL-
22 ITY TO CONCEIVE AFTER 1 YEAR OF UNPROTECTED SEXUAL INTERCOURSE OR
23 THE INABILITY TO SUSTAIN A SUCCESSFUL PREGNANCY.