

**SENATE BILL NO. 1130**

May 14, 1998, Introduced by Senators PETERS, CHERRY, VAUGHN, MILLER, A. SMITH and O'BRIEN and referred to the Committee on Health Policy and Senior Citizens.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
(MCL 500.100 to 500.8302) by adding section 3609.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 3609. (1) ON AND AFTER JANUARY 1, 1998, IN EACH  
2 EXPENSE-INCURRED HOSPITAL, MEDICAL, OR SURGICAL GROUP POLICY OR  
3 CERTIFICATE THAT COVERS 10 OR MORE EMPLOYEES OR MEMBERS AND PRO-  
4 VIDES PREGNANCY-RELATED COVERAGE AND THAT IS DELIVERED, ISSUED  
5 FOR DELIVERY, OR RENEWED IN THIS STATE, AN INSURER SHALL PROVIDE  
6 COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF INFERTILITY, INCLUD-  
7 ING, BUT NOT LIMITED TO, IN VITRO FERTILIZATION, EMBRYO TRANSFER,  
8 ARTIFICIAL INSEMINATION, GAMETE INTRAFALLOPIAN TUBE TRANSFER,  
9 ZYGOTE INTRAFALLOPIAN TUBE TRANSFER, AND INTRACYTOPLASMIC SPERM  
10 INJECTION.

1 (2) COVERAGE UNDER SUBSECTION (1) FOR IN VITRO  
2 FERTILIZATION, GAMETE INTRAFALLOPIAN TUBE TRANSFER, OR ZYGOTE  
3 INTRAFALLOPIAN TUBE TRANSFER IS REQUIRED ONLY IF ALL OF THE FOL-  
4 LOWING APPLY:

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

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

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

17 (3) THE PROCEDURES REQUIRED TO BE COVERED UNDER THIS SECTION  
18 ARE NOT REQUIRED TO BE CONTAINED IN ANY POLICY OR CERTIFICATE  
19 ISSUED TO A RELIGIOUS INSTITUTION OR ORGANIZATION OR TO AN ENTITY  
20 SPONSORED BY A RELIGIOUS INSTITUTION OR ORGANIZATION THAT FINDS  
21 THE PROCEDURES REQUIRED TO BE COVERED UNDER THIS SECTION TO VIO-  
22 LATE ITS RELIGIOUS AND MORAL TEACHINGS AND BELIEFS.

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