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LRB094 10930 LJB 43273 a

1 AMENDMENT TO HOUSE BILL 3494

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3494 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by  
5 changing Section 356m as follows:

6 (215 ILCS 5/356m) (from Ch. 73, par. 968m)

7 Sec. 356m. Infertility coverage.

8 (a) No group policy of accident and health insurance  
9 providing coverage for more than 25 employees that provides  
10 pregnancy related benefits may be issued, amended, delivered,  
11 or renewed in this State after the effective date of this  
12 amendatory Act of 1991 unless the policy contains coverage for  
13 the diagnosis and treatment of infertility including, but not  
14 limited to, in vitro fertilization, uterine embryo lavage,  
15 embryo transfer, artificial insemination, gamete  
16 intrafallopian tube transfer, zygote intrafallopian tube  
17 transfer, and low tubal ovum transfer.

18 (b) The coverage required under subsection (a) is subject  
19 to the following conditions:

20 (1) Coverage for procedures for in vitro  
21 fertilization, gamete intrafallopian tube transfer, or  
22 zygote intrafallopian tube transfer shall be required only  
23 if:

24 (A) the covered individual has been unable to

1           attain or sustain a successful pregnancy through  
2           reasonable, less costly medically appropriate  
3           infertility treatments for which coverage is available  
4           under the policy, plan, or contract;

5           (B) the covered individual has not undergone 4  
6           completed oocyte retrievals, except that if a live  
7           birth follows a completed oocyte retrieval, then 2 more  
8           completed oocyte retrievals shall be covered; and

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

15          (2) The procedures required to be covered under this  
16          Section are not required to be contained in any policy or  
17          plan issued to or by a religious institution or  
18          organization or to or by an entity sponsored by a religious  
19          institution or organization that finds the procedures  
20          required to be covered under this Section to violate its  
21          religious and moral teachings and beliefs.

22          (c) For purpose of this Section, "infertility" means the  
23          inability to conceive after one year of unprotected sexual  
24          intercourse, ~~or~~ the inability to sustain a successful  
25          pregnancy, or a medical condition that causes conception or  
26          gestation to be unlikely without fertility treatment.

27          (Source: P.A. 89-669, eff. 1-1-97.)

28          Section 99. Effective date. This Act takes effect upon  
29          becoming law."