

FOR the purpose of prohibiting the exclusion in certain group or individual contracts or certificates issued or delivered by nonprofit health service plans and policies issued or delivered by insurance companies of all benefits for expenses arising from in vitro fertilization procedures performed on certain covered individuals or their dependent spouses; requiring that benefits for in vitro fertilization be provided to the same extent as benefits provided for other pregnancy-related procedures under certain circumstances; and generally relating to benefits for in vitro fertilization.

BY adding to

Article 48A - Insurance Code  
Section 354CC, 470V, and 477CC  
Annotated Code of Maryland  
(1979 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A - Insurance Code

354CC.

EACH GROUP OR INDIVIDUAL MEDICAL OR MAJOR MEDICAL CONTRACT OR CERTIFICATE ISSUED OR DELIVERED WITHIN THE STATE BY A NONPROFIT HEALTH SERVICE PLAN AND WHICH PROVIDES PREGNANCY-RELATED BENEFITS, SHALL--INCLUDE MAY NOT EXCLUDE BENEFITS FOR INPATIENT-OR ALL OUTPATIENT EXPENSES ARISING FROM IN VITRO FERTILIZATION PROCEDURES PERFORMED ON THE SUBSCRIBER OR THE SUBSCRIBER'S DEPENDENT SPOUSE, PROVIDED THAT:

(1) BENEFITS UNDER THIS SECTION SHALL BE PROVIDED TO THE SAME EXTENT AS THE BENEFITS PROVIDED FOR OTHER PREGNANCY-RELATED PROCEDURES;

{1} (2) THE PATIENT IS A SUBSCRIBER OR COVERED DEPENDENT OF THE SUBSCRIBER;

{2} (3) THE PATIENT'S OOCYTES ARE FERTILIZED WITH THE PATIENT'S SPOUSE'S SPERM;

{3} (4) (I) THE PATIENT AND THE PATIENT'S SPOUSE HAVE A HISTORY OF INFERTILITY OF AT LEAST 5 YEARS' DURATION; OR

(II) THE INFERTILITY IS ASSOCIATED WITH ONE OR MORE OF THE FOLLOWING MEDICAL CONDITIONS:

1. ENDOMETRIOSIS;

2. EXPOSURE IN UTERO TO DIETHYLSTILBESTROL, COMMONLY KNOWN AS DES; OR