

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 501

Introduced by Hunt, 8.

Read first time January 22, 2019

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to insurance; to require insurance coverage
- 2 for in vitro fertilization procedures as prescribed; and to provide
- 3 for rules and regulations by the Department of Insurance.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1)(a) Subject to subsections (3) and (4) of this
2 section and notwithstanding section 44-3,131, (a) any individual or group
3 sickness and accident insurance policy, certificate, or subscriber
4 contract delivered, issued for delivery, or renewed in this state and any
5 hospital, medical, or surgical expense-incurred policy, except for
6 policies that provide coverage for a specified disease or other limited-
7 benefit coverage and (b) any self-funded employee benefit plan to the
8 extent not preempted by federal law that provides coverage for pregnancy-
9 related procedures, shall provide coverage on an expense incurred,
10 service, or prepaid basis for outpatient expenses that arise from in
11 vitro fertilization procedures.

12 (2) Benefits for in vitro fertilization procedures required under
13 this section must be provided to the same extent as benefits provided for
14 other pregnancy-related procedures under the policy, certificate,
15 contract, or plan.

16 (3) Coverage for in vitro fertilization procedures shall be required
17 under this section only if: (a) The patient for the in vitro
18 fertilization procedure is an individual covered under the policy,
19 certificate, contract, or plan; (b) the patient has been unable to attain
20 a successful pregnancy through any less costly applicable infertility
21 treatments; and (c) the in vitro fertilization procedures are performed
22 at a medical facility that conforms to the minimal standards for programs
23 of in vitro fertilization adopted by the American Society for
24 Reproductive Medicine.

25 (4) The Department of Insurance may adopt and promulgate rules and
26 regulations to carry out this section.