

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

1 by inserting the following six sections:-

2 "SECTION X. Chapter 32A is hereby amended by inserting after section 17Q, inserted  
3 by section 24 of chapter 208 of the acts of 2018 the following section:-

4 Section 17R. (a) Any coverage offered by the commission to an active or retired  
5 employee of the commonwealth insured under the group insurance commission shall provide, to  
6 the same extent that benefits are provided for other pregnancy-related procedures, coverage for  
7 standard fertility preservation services (b) when the enrollee has a diagnosed medical or genetic  
8 condition that may directly or indirectly cause (c) impairment of fertility by affecting  
9 reproductive organs or processes. Said coverage will include the coverage for procurement,  
10 cryopreservation, and storage of gametes, embryos or other reproductive tissue.

11 (b) For the purposes of this section, "standard fertility preservation services" means  
12 procedures or treatment to preserve fertility as recommended by a board-certified obstetrician  
13 gynecologist, reproductive endocrinologist, or other physician, and this recommendation is made  
14 in accordance with current medical practices and professional guidelines published by the  
15 American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
16 other reputable professional organizations.

17 (c) For the purposes of this section, “may directly or indirectly cause” means that the  
18 disease itself, or the necessary treatment, has a likely side effect of infertility as established by  
19 the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
20 other reputable professional organizations.

21 SECTION X. Chapter 175 is hereby amended by inserting after section 47KK, inserted  
22 by section 81 of chapter 208 of the acts of 2018 the following section:-

23 Section 47LL. (a) Any policy of accident and sickness insurance as described in section  
24 108 that provides hospital expense and surgical expense insurance and that is delivered, issued or  
25 subsequently renewed by agreement between the insurer and policyholder in the commonwealth;  
26 any blanket or general policy of insurance described in subdivision (A), (C) or (D) of section 110  
27 that provides hospital expense and surgical expense insurance and that is delivered, issued or  
28 subsequently renewed by agreement between the insurer and the policyholder, within or without  
29 the commonwealth; or any employees’ health and welfare fund that provides hospital expense  
30 and surgical expense benefits and that is delivered, issued or renewed to any person or group of  
31 persons in the commonwealth, shall provide to a commonwealth resident covered by the policy,  
32 to the same extent that benefits are provided for other pregnancy-related procedures, coverage  
33 for standard fertility preservation services (b) when the enrollee has a diagnosed medical or  
34 genetic condition that may directly or indirectly cause (c) impairment of fertility by affecting  
35 reproductive organs or processes. Said coverage will include the coverage for procurement,  
36 cryopreservation, and storage of gametes, embryos or other reproductive tissue.

37 (b) For the purposes of this section, “standard fertility preservation services” means  
38 procedures or treatment to preserve fertility as recommended by a board-certified obstetrician

39 gynecologist, reproductive endocrinologist, or other physician, and this recommendation is made  
40 in accordance with current medical practices and professional guidelines published by the  
41 American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
42 other reputable professional organizations.

43 (c) For the purposes of this section, “may directly or indirectly cause” means that the  
44 disease itself, or the necessary treatment, has a likely side effect of infertility as established by  
45 the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
46 other reputable professional organizations.

47 SECTION X. Chapter 176A is hereby amended by inserting after section 8MM, inserted  
48 by section 85 of chapter 208 of the acts of 2018 the following section:-

49 Section 8NN. (a) Any contract between a subscriber and the corporation under an  
50 individual or group hospital service plan which is delivered, issued or renewed within the  
51 commonwealth shall provide, to the same extent that benefits are provided for other pregnancy-  
52 related procedures, coverage for standard fertility preservation services (b) when the enrollee has  
53 a diagnosed medical or genetic condition that may directly or indirectly cause (c) impairment of  
54 fertility by affecting reproductive organs or processes. Said coverage will include the coverage  
55 for procurement, cryopreservation, and storage of gametes, embryos or other reproductive tissue.

56 (b) For the purposes of this section, “standard fertility preservation services” means  
57 procedures or treatment to preserve fertility as recommended by a board-certified obstetrician  
58 gynecologist, reproductive endocrinologist, or other physician, and this recommendation is made  
59 in accordance with current medical practices and professional guidelines published by the

60 American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
61 other reputable professional organizations.

62 (c) For the purposes of this section, “may directly or indirectly cause” means that the  
63 disease itself, or the necessary treatment, has a likely side effect of infertility as established by  
64 the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
65 other reputable professional organizations.

66 SECTION X. Chapter 176B is hereby amended by inserting after section 4MM, inserted  
67 by section 88 of chapter 208 of the acts of 2018 the following section:-

68 Section 4NN. (a) Any subscription certificate under an individual or group medical  
69 service agreement delivered, issued or renewed within the commonwealth shall provide, to the  
70 same extent that benefits are provided for other pregnancy-related procedures, coverage for  
71 standard fertility preservation services (b) when the enrollee has a diagnosed medical or genetic  
72 condition that may directly or indirectly cause (c) impairment of fertility by affecting  
73 reproductive organs or processes. Said coverage will include the coverage for procurement,  
74 cryopreservation, and storage of gametes, embryos or other reproductive tissue.

75 (b) For the purposes of this section, “standard fertility preservation services” means  
76 procedures or treatment to preserve fertility as recommended by a board-certified obstetrician  
77 gynecologist, reproductive endocrinologist, or other physician, and this recommendation is made  
78 in accordance with current medical practices and professional guidelines published by the  
79 American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
80 other reputable professional organizations.

81 (c) For the purposes of this section, “may directly or indirectly cause” means that the  
82 disease itself, or the necessary treatment, has a likely side effect of infertility as established by  
83 the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
84 other reputable professional organizations.

85 SECTION X. Chapter 176G is hereby amended by inserting after section 4EE, inserted  
86 by section 91 of chapter 208 of the acts of 2018 the following section:-

87 Section 4FF. (a) Any individual or group health maintenance contract shall provide, to  
88 the same extent that benefits are provided for other pregnancy-related procedures, coverage for  
89 standard fertility preservation services (b) when the enrollee has a diagnosed medical or genetic  
90 condition that may directly or indirectly cause (c) impairment of fertility by affecting  
91 reproductive organs or processes. Said coverage will include the coverage for procurement,  
92 cryopreservation, and storage of gametes, embryos or other reproductive tissue.

93 (b) For the purposes of this section, “standard fertility preservation services” means  
94 procedures or treatment to preserve fertility as recommended by a board-certified obstetrician  
95 gynecologist, reproductive endocrinologist, or other physician, and this recommendation is made  
96 in accordance with current medical practices and professional guidelines published by the  
97 American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
98 other reputable professional organizations.

99 (c) For the purposes of this section, “may directly or indirectly cause” means that the  
100 disease itself, or the necessary treatment, has a likely side effect of infertility as established by  
101 the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
102 other reputable professional organizations.

103 SECTION X. Chapter 176I is hereby amended by adding the following section:-

104 Section 13. (a) An organization entering into a preferred provider contract that provides  
105 pregnancy-related benefits shall provide coverage, to the same extent that benefits are provided  
106 for other pregnancy-related procedures, coverage for standard fertility preservation services (b)  
107 when the enrollee has a diagnosed medical or genetic condition that may directly or indirectly  
108 cause (c) impairment of fertility by affecting reproductive organs or processes. Said coverage  
109 will include the coverage for procurement, cryopreservation, and storage of gametes, embryos or  
110 other reproductive tissue.

111 (b) For the purposes of this section, “standard fertility preservation services” means  
112 procedures or treatment to preserve fertility as recommended by a board-certified obstetrician  
113 gynecologist, reproductive endocrinologist, or other physician, and this recommendation is made  
114 in accordance with current medical practices and professional guidelines published by the  
115 American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
116 other reputable professional organizations.

117 (c) For the purposes of this section, “may directly or indirectly cause” means that the  
118 disease itself, or the necessary treatment, has a likely side effect of infertility as established by  
119 the American Society for Reproductive Medicine, the American Society of Clinical Oncology, or  
120 other reputable professional organizations."