

BILL ANALYSIS

H.B. 2310
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Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to Mayo Clinic, in vitro fertilization (IVF) is a complex series of procedures used to help with fertility or preventing genetic problems and to assist with the conception of a child. In Texas, certain health benefit plans are required to cover IVF procedures after five continuous years of infertility by the patient and the patient's spouse if specified conditions are met, one of which is that the fertilization or attempted fertilization of the patient must be made only with the sperm of the patient's spouse. Due to this strict spousal requirement, many Texans are unable to access health care coverage for IVF procedures, especially single women. Furthermore, it has been suggested that the five-year infertility waiting period is unnecessarily exclusionary, creating barriers to coverage for older couples attempting to conceive a child. H.B. 2310 seeks to address this issue by eliminating the spousal requirement and by reducing the continuous infertility waiting period.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2310 amends the Insurance Code to remove as a condition that must be satisfied to trigger the requirement for health benefit coverage of an in vitro fertilization procedure that the fertilization or attempted fertilization of the patient's oocytes is made only with the sperm of the patient's spouse. The bill reduces the duration of continuous infertility required for the coverage from at least five years to at least three years and specifies that the continuous infertility requirement is satisfied if either the patient or the patient's spouse has a history of such infertility. The bill's provisions apply only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2022.

EFFECTIVE DATE

September 1, 2021.