

## Bulletin 206

### Definitions related to diagnosis and treatment of infertility

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The Bureau of Insurance was directed by the 115th Maine Legislature to clarify the terms and definitions related to infertility and to the diagnosis and treatment of infertility. This bulletin serves to clarify those terms as they apply to insurance coverage for procedures and services related to infertility.

Unless otherwise defined in the insurance contract, infertility is defined as:

1. The inability to conceive a pregnancy after a year or more of regular sexual relations without contraception,
2. The continuing inability to carry a pregnancy to a live birth, or
3. The presence of a demonstrated condition recognized as a cause of the disease of infertility by the American College of Obstetrics and Gynecology, the American Urological Association or other appropriate independent professional association.

Maine law does not require coverage for the diagnosis and treatment of infertility. However, for those contracts or policies which cover treatment of infertility, infertility treatment (unless otherwise defined in the contract) is defined as:

All procedures, treatments and services related to the diagnosis and treatment of infertility, except for procedures, treatments and services specifically excluded in the contract.

Nothing in this definition is meant to indicate that reversal of voluntary infertility caused by surgical means should be a covered service.

For those contracts which exclude coverage of the diagnosis and treatment of infertility, infertility treatment (unless otherwise defined in the contract) is defined as:

Procedures, treatments and services supplied when infertility is the only diagnosis. A procedure, treatment or service for a person of one gender shall be covered to the same extent that an equivalent procedure, treatment or service would be covered if performed on a person of the opposite gender.

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NOTE: This bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties or privileges nor is it intended to provide legal advice. Readers are encouraged to consult applicable statutes and regulations and to contact the Bureau of Insurance if additional information is needed.