
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO UPDATE ITS REPORT NO. 12-09, WHICH ASSESSES THE SOCIAL AND FINANCIAL EFFECTS OF MANDATORY HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT, BASED ON A MEDICAL DETERMINATION BY THE PERSON'S PHYSICIAN, WILL MOST LIKELY CAUSE INFERTILITY.

1 WHEREAS, certain cancers and treatment procedures may
2 affect a person's ability to procreate by damaging the person's
3 reproductive organs; and

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5 WHEREAS, due to the high costs of fertility preservation
6 procedures and the narrow window to obtain services, the
7 procedure is unattainable for many people; and

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9 WHEREAS, mandated health care coverage for fertility
10 preservation procedures would allow persons who are diagnosed
11 with cancer, and who will undergo treatment that may affect
12 their fertility, to have the opportunity to have a family in the
13 future; and

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15 WHEREAS, section 23-51, Hawaii Revised Statutes, requires
16 that "before any legislative measure that mandates health
17 insurance coverage for specific health services, specific
18 diseases, or certain providers of health care services as part
19 of individual or group health insurance policies, can be
20 considered, there shall be concurrent resolutions passed
21 requesting the [A]uditor to prepare and submit to the
22 [L]egislature a report that assesses both the social and
23 financial effects of the proposed mandated coverage"; and



1 WHEREAS, section 23-52, Hawaii Revised Statutes, outlines
2 the specific topics to be addressed in the Auditor's report
3 required under section 23-51, Hawaii Revised Statutes; and
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5 WHEREAS, the Legislature adopted H.C.R. No. 9, S.D. 1,
6 during the Regular Session of 2012 to assess mandating health
7 insurance screening coverage of fertility preservation
8 procedures for persons of reproductive age who have been
9 diagnosed with cancer and will undergo treatment that may
10 adversely affect fertility; and
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12 WHEREAS, in October 2012, the Auditor issued its Report
13 No. 12-09, entitled "Mandatory Health Insurance Coverage for
14 Fertility Preservation Procedures for People of Reproductive Age
15 Diagnosed with Cancer"; and
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17 WHEREAS, the report found that "there is insufficient data
18 to assess the social and financial impacts of mandating
19 insurance coverage. Individuals diagnosed with cancer, who may
20 want to preserve their reproductive ability, must seek the
21 service on their own and bear the full costs, which could be
22 upwards of \$10,000. . . . [B]ut we conclude that the number of
23 people generally utilizing the procedures is unknown and the
24 level of public demand is low"; and
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26 WHEREAS, since that time, California, Colorado,
27 Connecticut, Delaware, Illinois, Maryland, New Hampshire, New
28 Jersey, New York, and Rhode Island have enacted fertility
29 preservation coverage; and
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31 WHEREAS, with the experience in ten other states of various
32 size, geography, and demographics, the Auditor can now evaluate
33 additional experiential data and assess actual financial impacts
34 to make accurate findings, especially with published detailed
35 reports from California and Connecticut; now, therefore,
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37 BE IT RESOLVED by the House of Representatives of the
38 Thirty-first Legislature of the State of Hawaii, Regular Session
39 of 2021, the Senate concurring, that the Auditor is requested to
40 update its impact assessment Report No. 12-09 and pursuant to
41 sections 23-51 and 23-52, Hawaii Revised Statutes, evaluate the
42 social and financial effects of mandating coverage for fertility



1 preservation procedures for persons who are of reproductive age
2 and have been diagnosed with cancer, and will undergo treatment
3 that, based on a medical determination by the person's
4 physician, will most likely cause infertility; and

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6 BE IT FURTHER RESOLVED that the Auditor is requested to
7 submit a report of its findings and recommendations to the
8 Legislature no later than twenty days prior to the convening of
9 the Regular Session of 2022; and

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11 BE IT FURTHER RESOLVED that certified copies of this
12 Concurrent Resolution be transmitted to the Auditor and the
13 Insurance Commissioner who, in turn, is requested to transmit
14 copies to each organization that issues health insurance
15 policies in the State that may be affected by this Concurrent
16 Resolution.

