

SB 242 A STAFF MEASURE SUMMARY

Senate Committee On Health Care

Action Date: 04/08/19

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 4-1-0-0

Yeas: 4 - Beyer, Fagan, Knopp, Monnes Anderson

Nays: 1 - Linthicum

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/11, 4/3, 4/8

WHAT THE MEASURE DOES:

Requires health benefit plans that provide payment or reimbursement for the costs of pregnancy and childbirth to provide payment or reimbursement for the expenses of pregnancy care and childbirth for an enrollee who is a surrogate. Prohibits health benefit plans from requiring a surrogate to reimburse any costs paid by the insurer, assign right to receive payments to the insurer, or agree to any term that has the effect of negating a payment or reimbursement of costs. Defines "childbirth," "health benefit plan," "intended parent," "pregnancy care," "surrogacy agreement," and "surrogate."

ISSUES DISCUSSED:

- Use of liens by surrogate's insurance carrier and other insurance coverage barriers to surrogacy utilization

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

A surrogate is a woman who carries a pregnancy for another person or couple. For individuals and couples facing infertility or other pregnancy challenges, surrogacy offers another path to parenthood. According to the Centers for Disease Control and Prevention, between 1999 and 2013, gestational surrogates gave birth to 18,400 infants in the United States.

Senate Bill 242-A requires health benefit plans to provide coverage of pregnancy care for surrogate mothers without any terms that would negate a payment or reimbursement of costs.