

# Insurance Coverage for Medically Necessary Fertility Preservation

## Iatrogenic Infertility Facts

Iatrogenic infertility is infertility that arises as a result or side effect of a needed medical treatment, primarily for cancer treatment but also for sickle cell anemia, lupus or certain autoimmune diseases.

Approximately 9% of cancer patients (about 10,000 New Yorkers annually) are diagnosed while in their reproductive years; the majority are at risk for iatrogenic infertility from their treatment.

The American Society of Clinical Oncology has issued guidelines that all at-risk patients should be informed about fertility preservation before the start of potentially sterilizing cancer treatment. The American Medical Association passed a Resolution expressly calling for fertility preservation coverage for cancer patients.

## Fertility Preservation Insurance Coverage

Since 1990, New York has required insurance coverage for some infertility treatments, but NOT for IVF (in-vitro fertilization); IVF is the procedure that is utilized for egg retrieval and freezing for fertility preservation.

Eight states require coverage for in-vitro fertilization (IVF), including NY's neighboring states of CT, MA and NJ. **In 2017, CT and RI unanimously passed and signed into law legislation to require insurance coverage for fertility preservation. The provisions were deemed to be an update of existing fertility coverage law and therefore not a new mandate on health insurance companies.**

## Cost of Fertility Preservation

Cost is the #1 barrier to fertility preservation. New York's current infertility insurance law does not cover fertility preservation for cancer patients or other patients with medically-induced infertility.

The average cost of sperm banking is \$500-\$1000; the average cost of egg or embryo banking is \$10,000-\$15,000. Cost of providing coverage has been estimated at \$.01 - \$.04 per member per month.

Infertility can adversely affect cancer survivors' quality of life, causing depression and other life-long issues. Studies indicate that patients may choose less effective treatments in order to avoid infertility, which can lead to disastrous, and costly, results if their cancer is not cured or treated properly.

## The Fair Access to Fertility Treatment Act (FAFTA: S 3148A and A 2646A)

FAFTA updates NY's infertility insurance law to include coverage for IVF and for fertility preservation when a medical treatment for cancer, for example, can cause infertility.

Infertility treatment has advanced considerably since New York passed its infertility coverage law. IVF is now considered the standard of care to treat the disease of infertility. IVF is also required to enable patients to protect against iatrogenic infertility arising from certain medical treatments.

**It is time to update this law that was passed in 1990 and last updated in 2002.**

