



movement advancement project ▶

## Health Care: LGBTQ-Inclusive Insurance Coverage of Fertility Treatment and Preservation

No updates required since October 17, 2024

### What’s in this document (click to jump to that section):

<b>Background</b> .....	2
<b>Equality Maps &amp; Additional Resources</b> .....	2
<b>Details on Categories &amp; Scoring</b> .....	3
<b>State-by-State Sources &amp; More Detail</b> .....	4

This citation sheet and its corresponding maps were developed in partnership with [GLAD](#).

To receive regular updates, subscribe here: <http://bit.ly/map-newsletter>

To donate to support MAP’s work tracking these policies, click here:  
<https://mapresearch.org/donate>

### Recommended citation:

Movement Advancement Project. [Year of access]. “Equality Maps: Fertility Healthcare Coverage.” [www.mapresearch.org/equality-maps/healthcare/fertility\\_coverage](http://www.mapresearch.org/equality-maps/healthcare/fertility_coverage). Accessed [date of access].

Please contact [info@mapresearch.org](mailto:info@mapresearch.org) if there are any factual errors in this document. Thank you!



movement advancement project ▶

## Background

Fertility-related health care is diverse and can include fertility treatment services such as medications to assist in conception, in vitro fertilization (IVF), and others. It may also include fertility preservation services, such as egg retrieval.

In the United States, however, fertility-related healthcare is often not covered by insurance. As a result, some states have passed laws that require insurers to cover fertility treatment and/or preservation services. But, even when fertility healthcare is covered by insurance, many states still have definitions of “infertility” or other terms that exclude single people and many LGBTQ people from otherwise covered services. As a result, LGBTQ people may have to spend thousands of dollars in out-of-pocket costs to grow their families, even when these services are covered for other people.

In 2023, the [American Society for Reproductive Medicine \(ASRM\)](#) updated its definition of “infertility” to make it more inclusive of all people, including LGBTQ people, who seek fertility healthcare. However, significant gaps in state laws and in coverage remain across the country. This citation sheet and related Equality Maps track current laws regarding state-mandated coverage of fertility treatment and fertility preservation by both private insurers and state Medicaid programs.

## Equality Maps & Additional Resources

- See our [Equality Map: Fertility Treatment Coverage](#) and [Equality Map: Fertility Preservation Coverage](#), which are both updated and maintained in real time alongside this document.
- American Society for Reproductive Medicine (ASRM)
  - Inclusive [definition of infertility](#) (2023)
  - [State and Territory Infertility Insurance Laws](#)
- This map and citation sheet was developed in partnership with [GLAD](#), including with legal research and support from Polly Crozier, Bridget Simons, Donovan Bendana, and Josephine Ban.



## Details on Categories & Scoring

### Fertility Treatment categories and scoring:

- (+1) State requires private insurers to cover fertility treatment care and is explicitly inclusive of LGBTQ people
- (+0.75) State requires private insurers to cover fertility treatment care
- (+0.5) State requires coverage from at least some private insurers or of at least some fertility treatment care, though requirements differ across states
- (+0.25) State law requires private insurers to *offer* coverage, but employers may still choose to not include that coverage
- (0) State law does not require private insurers to cover fertility treatment care

Additional points can be earned or deducted for Medicaid coverage and/or exclusionary language:

- (+0.5) State law requires Medicaid to cover at least some fertility treatment care, though coverage differs across states (see citations for more detail)
- (-0.25) State law has requirements that may exclude some LGBTQ people or couples

A state's law is listed as "LGBTQ inclusive" (+1 category) if the law reflects [ASRM's updated standards of care](#), has gender-inclusive language, and does not restrict access on the basis of marital or relationship status. For example, D.C.'s inclusive law defines infertility as including a "person's inability to reproduce without medical intervention either as a single individual or with their partner." Maine's inclusive law defines "fertility patient" as "an individual unable to conceive as an individual or with a partner because the individual or couple does not have the necessary gametes for conception."

States are only coded as requiring coverage if they require coverage of *treatment* (e.g., IVF, medications, etc). Covering tests, diagnoses, or counseling only is not sufficient for inclusion here, so please note that some states may require coverage of testing, counseling, etc. but that is not reflected here.

### Fertility Preservation categories and scoring

- (+1) State requires private insurers to cover fertility preservation, including storage
- (+0.5) State requires private insurers to cover fertility preservation, but not storage
- (+0.25) State requires private insurers to cover fertility preservation, but only for cancer patients
- (0) State does not require private insurers to cover fertility preservation

Additional points can be earned for Medicaid coverage:

- (+0.5) State requires Medicaid to cover at least some fertility preservation or for some (i.e., cancer) patients



## State-by-State Sources & More Detail

### Alabama

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### Alaska

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### Arizona

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### Arkansas

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
  - (-0.25) Note, state law has requirements that may exclude some LGBTQ people
    - Benefits only provided if patient's eggs "are fertilized with the sperm of the patient's spouse," which may not apply to all LGBTQ people or couples
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [Ark. Code § 054.00](#) and [HB 1886/Act 920](#) (1991), including 054.00(5)(b) for LGBTQ-exclusionary requirement; [A.C.A. § 23-85-137](#); and [Medicaid Provider Manual](#) (Section 1 lists "infertility treatment" as not covered)



## California

- Fertility treatment
  - (1) State law requires private insurers to cover fertility treatment and is explicitly inclusive of LGBTQ people
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [SB729](#) (2024; treatment), [SB600](#) (2019; preservation), [Family Planning Manual](#) (showing lack of Medicaid coverage of fertility studies or procedures)
- Previously, state law required (0.25) private insurers to *offer* coverage of fertility treatment care, but employers could still choose to not include that coverage ([AB460](#), 2013, amending Insurance Code 10119.6). Improved by [SB729](#) (2024).

## Colorado

- Fertility treatment
  - (1) State requires private insurers to cover fertility treatment and is explicitly inclusive of LGBTQ people
  - (0) No state law requiring Medicaid to cover fertility treatment, though note that related services (such as testing or counseling) may be covered
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [CRS 10-16-104\(23\)](#) (2020, eff. Jan 1, 2023) and [Health First Colorado \(Medicaid\) services overview](#) (“fertility assessments” section shows lack of coverage of actual treatment, though “basic fertility assessments and counseling to evaluate a member’s ability to become pregnant” are covered)

## Connecticut

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0.5) State requires Medicaid to cover at least some fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [Conn. Gen. Stat. §§ 38a-509\(a\), 38a-536\(a\)-\(f\)](#), [HB 7124](#) (2017), [Insurance Bulletin HC-125](#) (2019), and [Medicaid Member Handbook](#) (showing fertility services not covered)



## Delaware

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [Del. Insurance Code Title 18, 1 § 3342](#) and [Medicaid MSA](#) (showing fertility services not covered, see p.82)

## District of Columbia

- Fertility treatment
  - (1) State requires private insurers to cover fertility treatment and is explicitly inclusive of LGBTQ people
  - (0.5) State requires Medicaid to cover at least some fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See Act 25-173/[Law 25-49](#) (2023)

## Florida

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Georgia

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation



## Hawai`i

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment, though note that related services (such as testing or counseling) may be covered
  - (-0.25) Note, state law has requirements that may exclude some LGBTQ people
    - Benefits only provided if patient's oocytes "are fertilized with the patient's spouse's sperm," which may not apply to all LGBTQ people or couples
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [§431:10A-116.5](#) (treatment, and potentially exclusionary language)

## Idaho

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Illinois

- Fertility treatment
  - (1) State requires private insurers to cover fertility treatment and is explicitly inclusive of LGBTQ people
  - (0.5) State requires Medicaid to cover at least some fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0.5) State requires Medicaid to cover at least some fertility preservation
- See [215 ILCS 5/356m](#) (treatment) and [HB 3709](#) (2021); [215 ILCS 5/356z](#) (preservation) and [HB 2617](#) (2018); and [HFS \(Medicaid\) Family Planning Program Covered Services](#)

## Indiana

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation



## Iowa

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Kansas

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Kentucky

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (1) State requires private insurers to cover fertility preservation, including storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [304.17A-261](#) or [HB170/Act 2023,c.30](#) (2023, eff. Jan 1, 2025), [KY Medicaid Member Handbook](#) (showing lack of Medicaid coverage for IVF, fertility drugs)

## Louisiana

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
  - See [Louisiana R.S. 22:1036](#), which bans exclusions of coverage of health care that might result in infertility, but also specifically says it does not require insurers to cover infertility treatments, including IVF.
- Fertility preservation
  - (0.25) State requires private insurers to cover fertility preservation, but only for cancer patients
  - (0) No state law requiring Medicaid to cover fertility preservation
  - See [Louisiana R.S. 22:1036.1](#) and Act 2023,299 (2023, eff. Jan 1, 2024)





## Maine

- Fertility treatment
  - (1) State requires private insurers to cover fertility treatment and is explicitly inclusive of LGBTQ people
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (1) State requires private insurers to cover fertility preservation, including storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [Maine Revised Statutes 24-A § 4320-U, LD 1539](#)/PL 2021 c.692 (2022, eff. Jan 1, 2024), and [MaineCare Benefits Manual Ch II – Section 30](#) (showing lack of Medicaid coverage)

## Maryland

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0.5) State requires Medicaid to cover at least some fertility preservation
- See [Md. Code, Ins. § 15–810.1, SB 271](#) (2018), and [SB 460](#) (2023; The Trans Health Equity Act, including preservation coverage in Medicaid)

## Massachusetts

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment, though note that related services (such as testing or counseling) may be covered
- Fertility preservation
  - (1) State requires private insurers to cover fertility preservation, including storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [211 CMR 37.00](#) (Act 1987,c.394; [Act 2010,c.288](#); treatment), [Act 2024,c.140](#) (2024; preservation), and [MassHealth Manual](#) (see 421.417: Noncovered Services, showing state Medicaid does not cover fertility treatment but does cover diagnosis of infertility)

## Michigan

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation



## Minnesota

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Mississippi

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Missouri

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Montana

- Fertility treatment
  - (+0.5) State requires coverage from at least some private insurers or of at least some fertility treatment care, though requirements differ across states
  - (0) No state law requiring Medicaid to cover fertility treatment
  - See [Mont. Code Ann. § 33-31-102](#) requiring HMOs to provide “infertility services” (undefined), but [Mont. Code Ann. § 33-22-1521\(2\)\(v\)](#) says that other private insurers are exempt from this requirement.
- Fertility preservation
  - (0.25) State requires private insurers to cover fertility preservation, but only for cancer patients
  - (0.5) State requires Medicaid to cover at least some fertility preservation (only for cancer patients)
  - See [Mont. Code 33-22-2103](#) or [SB516/Ch.782 \(2023\)](#) and [2024 Montana Medicaid Member Guide](#) (see ‘Fertility Preservation Services’)



### Nebraska

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### Nevada

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### New Hampshire

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (1) State requires private insurers to cover fertility preservation, including storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [NH RSA § 417-G: Access to Fertility Care](#) or [SB279/Act 2019,c.307](#) (2019; treatment and preservation), and [NH Medicaid Manual](#) (see “Non-Covered Services”)

### New Jersey

- Fertility treatment
  - (1) State requires private insurers to cover fertility treatment and is explicitly LGBTQ inclusive
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [A5235/S3627/P.L.2023,c.258](#) (2024; treatment), [A3150/S2133/P.L.2019,c.306](#) (2020; preservation)



### **New Mexico**

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### **New York**

- Fertility treatment
  - (1) State requires private insurers to cover fertility treatment and is explicitly LGBTQ inclusive
  - (0.5) State requires Medicaid to cover at least some fertility treatment
- Fertility preservation
  - (1) State requires private insurers to cover fertility preservation, including storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [NY Insurance Law § 3216\(13\)](#), [§ 3221\(k\)\(6\)](#), [Insurance Circular Letter No. 3](#) (2021, for LGBTQ inclusivity), [Dept of Insurance FAQs](#) (see “IVF covered services” Q-8 for storage), and [Medicaid Coverage of Limited Infertility Benefit](#) (2019)

### **North Carolina**

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### **North Dakota**

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation



## Ohio

- Fertility treatment
  - (+0.5) State requires coverage from at least some private insurers or of at least some fertility treatment care, though requirements differ across states
  - (0) No state law requiring Medicaid to cover fertility treatment
  - See [Ohio Revised Code § 1751.01](#) requiring HMOs only to cover “basic health care services” when medically necessary, including infertility services. Both “infertility services” and “medically necessary” are undefined.
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Oklahoma

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0.25) State law requires private insurers to cover fertility preservation, but only for cancer patients
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [SB 1334](#) (2024)

## Oregon

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Pennsylvania

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation



### Rhode Island

- Fertility treatment
  - (0.75) State requires private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0.5) State requires private insurers to cover fertility preservation, but not storage
  - (0) No state law requiring Medicaid to cover fertility preservation
- See [R.I. Gen. Laws § 27-18-30](#), [§ 27-41-33](#), and [H6170A/S0821A](#) (2017, eff. July 5, 2018)

### South Carolina

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### South Dakota

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

### Tennessee

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation



## Texas

- Fertility treatment
  - (0.25) State requires private insurers to offer coverage, but employers may still choose to not include that coverage
  - (0) No state law requiring Medicaid to cover fertility treatment
  - (-0.25) Note, state law has requirements that may exclude some LGBTQ people or couples
    - Benefits only provided if attempted fertilization of patient’s oocytes “is made only with the sperm of the patient’s spouse,” which may not apply to all LGBTQ people or couples
  - See [TX Insurance Code Ann. § 1366.001-007](#), [HB 2922](#) (2003, eff. 2005; see starting on p607)/[Acts 2003,ch.1274](#), and [2024 TX Medicaid Provider Manual](#) showing lack of coverage for fertility services (e.g., p55)
- Fertility preservation
  - (0.25) State requires private insurers to cover fertility preservation, but only for cancer patients (does not include storage)
  - (0) No state law requiring Medicaid to cover fertility preservation
  - See [TX Insurance Code Ann. § 1366.101-104](#) or [HB1649](#)/Acts 2023,c.819 (2023), and [2024 TX Medicaid Provider Manual](#) showing lack of coverage

## Utah

- Fertility treatment
  - (0.75) State requires private insurers to cover at fertility treatment care
  - (0.5) State requires Medicaid to cover at least some fertility treatment care or for some patients
  - See [UT Ann. Code § 49-20-418](#) , [SB35](#) (2024), and [UT Code 26B-3-215](#) (some limited Medicaid patients/coverage)
  - Formerly, state required (0.5) at least some private insurers to provide treatment care, under a pilot program that was made permanent by SB35 (2024).
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0.5) State requires Medicaid to cover at least some fertility preservation or for some (i.e., cancer) patients
  - See [Utah 26B-3-216](#) “Medicaid waiver for fertility preservation services” only available to cancer patients. Waiver was [approved](#) Aug 2024 (see for example p4).

## Vermont

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation



## Virginia

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Washington

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## West Virginia

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
  - See [West Virginia Code § 33-25A.2](#) requiring HMOs only to cover “basic health care services” including infertility services (undefined). However, see [WV Insurance Commissioner Informational Letter No. 185](#) (2013), saying that “infertility services” does not include actual *treatment* of infertility.
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## Wisconsin

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation





## Wyoming

- Fertility treatment
  - (0) No state law requiring private insurers to cover fertility treatment
  - (0) No state law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No state law requiring private insurers to cover fertility preservation
  - (0) No state law requiring Medicaid to cover fertility preservation

## U.S. Territories

### American Samoa

- Fertility treatment
  - (0) No territory law requiring private insurers to cover fertility treatment
  - (0) No territory law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No territory law requiring private insurers to cover fertility preservation
  - (0) No territory law requiring Medicaid to cover fertility preservation

### Guam

- Fertility treatment
  - (0) No territory law requiring private insurers to cover fertility treatment
  - (0) No territory law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No territory law requiring private insurers to cover fertility preservation
  - (0) No territory law requiring Medicaid to cover fertility preservation

### Northern Mariana Islands

- Fertility treatment
  - (0) No territory law requiring private insurers to cover fertility treatment
  - (0) No territory law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No territory law requiring private insurers to cover fertility preservation
  - (0) No territory law requiring Medicaid to cover fertility preservation



movement advancement project ▶

---

### **Puerto Rico**

- Fertility treatment
  - (0) No territory law requiring private insurers to cover fertility treatment
  - (0) No territory law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No territory law requiring private insurers to cover fertility preservation
  - (0) No territory law requiring Medicaid to cover fertility preservation

### **U.S. Virgin Islands**

- Fertility treatment
  - (0) No territory law requiring private insurers to cover fertility treatment
  - (0) No territory law requiring Medicaid to cover fertility treatment
- Fertility preservation
  - (0) No territory law requiring private insurers to cover fertility preservation
  - (0) No territory law requiring Medicaid to cover fertility preservation