



May 4, 2023

Dear Chair Houghton and Members of the House Committee on Health Care:

On behalf of GLBTQ Legal Advocates and Defenders (GLAD), I write to testify in **strong support of H 369** - An act relating to health insurance and Medicaid coverage for fertility-related services. Health insurance in Vermont can and should provide coverage for the medical care addressed in this bill – fertility diagnostic care, fertility treatment, and fertility preservation. Providing access to health insurance coverage for fertility healthcare is critical to ensuring Vermonters can realize their hopes of building families.

As you know, GLAD works in New England and nationally to promote justice on the basis of gender identity, gender expression, sexual orientation, and HIV status. We have had the honor of collaborating with Vermonters over decades on progress for justice and freedom, including most recently on comprehensive protections for LGBTQ families and their children (Vermont Parentage Act) and the important new protections for patients and providers of reproductive and transgender healthcare (S 37 / H 89) passed this session.

LGBTQ+ individuals and couples strive to create families just like all other people and, as such, they are adversely impacted by infertility. It is critical that all individuals have affordable access to fertility medical care within the standards of care outlined by the American Society for Reproductive Medicine.

Unfortunately, fertility healthcare is out of reach for too many due to a lack of insurance coverage. Fertility healthcare, without insurance, is out of reach for so many due to its cost. For others, they pay for fertility care at the expense of other important financial commitments such as buying a first home or paying off student loan debt. Nationally, 15.3% and 53.8% of LGB+ individuals have delayed some form of medical care or are worried about paying a potential medical bill compared to 18.8% and 46.% of Non-LGB+ individuals, respectively.

Vermont has fallen behind other New England states on this issue of access to fertility health care. Vermont is the only state in New England that do not require insurance coverage of fertility care. Maine passed an LGBTQ inclusive fertility insurance law in 2021, and New Hampshire passed a fertility healthcare coverage bill in 2019.¹ Fertility healthcare laws in Connecticut, Massachusetts, and Rhode Island have been in place for decades and have become part of the fabric of the states' health care systems.² Fertility treatment is a reliable way for people to bring children into their lives when they are otherwise unable to do so. H 369 will be beneficial

¹ N.H. Rev. Stat. Ann. § 417-G:1.

² See Conn. Gen. Stat. §§ 38a-509, 536 (1989, 2005); Mass. G. L. c. 175, § 47H, c. 176A, § 8K, c. 176B, § 4J, c. 176G, § 4; 211 Code of Massachusetts Regulations 37.00 (1987, 2010); R.I. Gen. Laws § 27-18-30, § 27-19-23, § 27-20-20, § 27-41-33 (1989, 2007).



for Vermont by ensuring the state addresses an important need for families and does not lose families to neighboring states that provide access to this important coverage.

Vermont has demonstrated its deep commitment to supporting children and families by passing the Vermont Parentage Act so that all children have access to the security of a legal parent-child relationship. H 369 is an important next step to ensure that Vermont fully supports access to fertility healthcare and family building for all residents. Given the nationwide dearth of protections for fertility healthcare, this bill will make Vermont a national leader.³

Fertility care is critical care for so many people, including LGBTQ+ people. This bill takes much-needed steps to require insurers to cover fertility care in a manner that is best practice and that will support Vermonters in building their families. GLAD hopes this Committee will support this legislation. Thank you for your time and consideration, and please do not hesitate to contact me with questions or for additional information.

Sincerely,

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³ *Insurance Coverage by State*, Resolve: The Nat'l Infertility Ass'n, <https://resolve.org/learn/financial-resources-for-family-building/insurance-coverage/insurance-coverage-by-state/> (last visited Feb. 17, 2023).