

May 2, 2023

House Health Care Committee  
Vermont State House  
115 State Street  
Montpelier, VT 05633-5301

Dear Chair Houghton, Vice Chair McFaun, and Health Care committee members,


I am writing to express my strong support for **H.369, “An act relating to health insurance and Medicaid coverage for fertility-related services”** and respectfully ask that the committee advance this bill next year. This legislation would require private health insurance plans and Vermont Medicaid to provide coverage for fertility diagnostic care, fertility treatment, and medically necessary fertility preservation.

One challenge my husband and I were ill prepared to address was the lack of insurance coverage we would face as we tried to conceive. The lack of insurance coverage in Vermont resulted in us spending years saving and planning to secure the resources needed to go through the medically necessary procedures and buy prescriptions drugs to conceive via IVF. It was demeaning, frustrating, stressful and overwhelming to be denied insurance coverage for medically necessary treatment(s) that would improve our lives. We delayed paying off our student loans, took out debt, purchased medication out of country and delayed treatment at times. Our journey took over 13.5 years and at times felt hopeless. Not having access to insurance coverage felt discriminatory. This panel has a chance to change this and improve the lives of Vermonters. In the middle of my fertility journey, back in 2011, I wrote to every Vermont state representative, the Governor and to Vermont’s federal representatives and senators (letter attached). It is emotional to know that over a decade later, nothing has changed. I strongly support H.369 as I believe individuals who struggle with fertility should have health insurance coverage.

For added context, my IVF fertility journey began in 2004 and my daughter was born in 2017. She was a miracle. My husband and I felt guilty even discussing the idea of expand our family again. How dare we be so greedy, how could we take resources and experiences away from her. Lack of insurance coverage was a big factor in if we could try again. I am happy to share we did try again (this time it took 13 months to conceive) and my son was born in 2021. As a fertility patient, parenting does not change all of the emotional, physical and financial trauma you experience. It does not change the fact that you feel discriminated against. I sit with tears in my eyes as I try and find the words that will implore you to support this bill.

Thank you for your consideration.

Sincerely,

Melissa Tourville   
Orchard Drives, Colchester, VT 05446  
([Melissa\\_m\\_cote@hotmail.com](mailto:Melissa_m_cote@hotmail.com))

**From:** melissa cote <[melissa\\_m\\_cote@hotmail.com](mailto:melissa_m_cote@hotmail.com)>  
**Sent:** Thursday, October 13, 2011 10:10 AM  
**To:** [kmlafayette@aol.com](mailto:kmlafayette@aol.com) <[kmlafayette@aol.com](mailto:kmlafayette@aol.com)>; [ed@disabilityrightsvt.org](mailto:ed@disabilityrightsvt.org) <[ed@disabilityrightsvt.org](mailto:ed@disabilityrightsvt.org)>  
**Subject:** FW: State Policy on Hidden disabilities

Karen and Ed,

I was given your organizations name by Melita DeBellis who works for the Governor's Committee on the Employment of People with Disabilities. She suggested that your organization may be able to provide some assistance since my desire is to to change the Policy/Legislature in Vermont surrounding this issue. I sent the below email to Governor Shumlin, Bernie Sanders, Jim Jeffords, and every house representative. I received a response from Shumlin stating that this is a federal issue and response from Sanders that this is a state issue. I tend to agree with Sanders but I did not know what to do next. How does an average citizen get laws drafted and reviewed by our government. This is an important issue and one I feel the state should address. I hope that you agree and your organization is willing to take on this challenge. Infertility may be a hidden disability but discrimination should not be tolerated.

My Cell phone number is 802-922-3290 if you wish to discuss this.

Dear Governor Shumlin,

I have struggled for years with a condition which has resulted in me being infertile, unable to conceive traditionally. I was diagnosed at 19 years old with the condition and provided very little support as to the challenges that I would face down the road as a married women looking to expand her family. I have been married for ten years, I have a Bachelor's degree in accounting and a Masters in Business administration. I would consider myself educated and well versed in the issues that face someone who struggles with reproduction.

My husband and I have spent hours researching treatment options for my condition only to discover that most insurance companies/employers elect to exclude fertility treatment from the plans they offer employees. What I would like to understand is why does the state allow companies who operate in Vermont to discriminate against individuals who struggle with reproduction? I have read the Americans with disability act (ADA) which clearly states that reproduction is a protected major life activity and a major bodily function yet, I am not sure what protection I am afforded. I have called the following Vermont state agencies Director of adult services (Adele Edelman), VT Secretary of State, VT Human Rights Commission, VT Department of Labor, Legal Aid, the Health Care Ombudsman. Each agency stated that my problem was not one that they dealt with that their department was working on solutions for individuals with more traditional disabilities. Each agency was nice enough to send me to someone else who did not want to get involved. I know that my condition is a hidden disability but it does not make it any less painful to deal with every day. I would ask you to look around the office and reflect on what you see, pictures of peoples families, their children, grandchild, siblings, nieces and nephews. How often do you stand around and talk to your colleagues about what they did on the weekend and those discussion always turn to talks about children. Every

day individuals who struggle with reproduction are affected negatively by their condition. They feel alone, violated, ashamed, hurt and frustrated.

So I ask again, what protection or enforcement of the ADA does the State offer its citizens that struggle with this hidden disability? What State resources are available to citizens who struggle with this condition? What is a reasonable request/accommodation an employee can ask of their employer when they struggle with reproduction and fertility coverage is specifically excluded from their insurance policy? Lastly, what protection will the State provide the employee when they challenge their employer and request this coverage be added to their insurance policy? I ask you why should the employee be put in this position, is it not bad enough that they feel violated every day for being who they are but now they must be put in an impossible situation at work...Why does Vermont allow employers to openly discriminate against individuals who struggle with reproduction.

I am sad that the leaders in Vermont have not taken the progressive position to protect this class of citizens. Currently 15 other states have laws requiring insurance coverage for infertility treatment such as Connecticut, Massachusetts, Texas, New York, New Jersey, California. Our leaders should be embarrassed that they have not done more to protect individuals who struggle with reproduction.

I can only hope that you read this message and take on this challenge. I would be happy to discuss this issue with you in more detail.

Melissa Tourville  
Assistant Controller  
Saint Michael's College  
One Winooski Park  
Colchester, VT 05439  
P: (802) 654-2915