

REFERENCE TITLE: health insurance; fertility preservation; coverage

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1347

Introduced by
Senators Werner: Angius

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-841.14; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.21; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1376.11; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1406.11; RELATING TO HEALTH INSURANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 4, article 3, Arizona Revised
3 Statutes, is amended by adding section 20-841.14, to read:

4 20-841.14. Fertility preservation coverage; requirements;
5 religious employer; exemption; definitions

6 A. A HOSPITAL SERVICE CORPORATION OR MEDICAL SERVICE CORPORATION
7 THAT ISSUES, AMENDS OR RENEWS A SUBSCRIPTION CONTRACT ON OR AFTER JANUARY
8 1, 2027 SHALL PROVIDE COVERAGE FOR STANDARD FERTILITY PRESERVATION
9 SERVICES TO A SUBSCRIBER WHO IS WITHIN REPRODUCTIVE AGE, WHO IS DIAGNOSED
10 WITH CANCER AND WHOSE MEDICALLY NECESSARY TREATMENT MAY DIRECTLY OR
11 INDIRECTLY CAUSE IATROGENIC INFERTILITY.

12 B. A HOSPITAL SERVICE CORPORATION OR MEDICAL SERVICE CORPORATION
13 MAY NOT REQUIRE PREAUTHORIZATION FOR STANDARD FERTILITY PRESERVATION
14 SERVICES. A SUBSCRIPTION CONTRACT MAY CONTAIN PROVISIONS FOR MAXIMUM
15 BENEFITS AND MAY REQUIRE THAT STANDARD FERTILITY PRESERVATION SERVICES BE
16 SUBJECT TO THE SAME DEDUCTIBLES, COPAYMENTS, COINSURANCE AND REASONABLE
17 LIMITATIONS AND EXCLUSIONS THAT ARE CONSISTENT WITH THIS SECTION.

18 C. A RELIGIOUS EMPLOYER MAY SUBMIT A WRITTEN REQUEST FOR AN
19 EXEMPTION FROM THE REQUIREMENTS OF THIS SECTION TO A HOSPITAL SERVICE
20 CORPORATION OR MEDICAL SERVICE CORPORATION, AND THE HOSPITAL SERVICE
21 CORPORATION OR MEDICAL SERVICE CORPORATION SHALL GRANT THE EXEMPTION IF
22 THE COVERAGE REQUIRED BY THIS SECTION CONFLICTS WITH THE EMPLOYER'S
23 RELIGIOUS BELIEFS. A RELIGIOUS EMPLOYER THAT OBTAINS AN EXEMPTION SHALL
24 PROVIDE WRITTEN NOTICE OF THE EXEMPTION TO PROSPECTIVE SUBSCRIBERS.

25 D. THIS SECTION DOES NOT PREVENT A SUBSCRIBER FROM PURCHASING A
26 SUPPLEMENTAL INSURANCE POLICY THAT COVERS STANDARD FERTILITY PRESERVATION
27 SERVICES AT THE SUBSCRIBER'S OWN EXPENSE.

28 E. FOR THE PURPOSES OF THIS SECTION:

29 1. "IATROGENIC INFERTILITY" MEANS AN IMPAIRMENT OF FERTILITY THAT
30 IS CAUSED DIRECTLY OR INDIRECTLY BY SURGERY, CHEMOTHERAPY, RADIATION OR
31 OTHER MEDICAL TREATMENT THAT HAS A POTENTIAL SIDE EFFECT OF IMPAIRED
32 FERTILITY AS ESTABLISHED BY THE AMERICAN SOCIETY OF CLINICAL ONCOLOGY OR
33 THE AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE.

34 2. "RELIGIOUS EMPLOYER" MEANS AN EMPLOYER THAT BOTH:

35 (a) IS A CHURCH, A CONVENTION OR ASSOCIATION OF CHURCHES OR AN
36 ELEMENTARY OR SECONDARY SCHOOL THAT IS CONTROLLED, OPERATED OR PRINCIPALLY
37 SUPPORTED BY A CHURCH OR BY A CONVENTION OR ASSOCIATION OF CHURCHES.

38 (b) QUALIFIES AS A TAX-EXEMPT ORGANIZATION UNDER SECTION 501(c)(3)
39 OF THE UNITED STATES INTERNAL REVENUE CODE.

40 3. "REPRODUCTIVE AGE" MEANS THE AGE RANGE IN WHICH AN INDIVIDUAL IS
41 DEEMED FERTILE AS ESTABLISHED BY THE AMERICAN SOCIETY OF CLINICAL ONCOLOGY
42 OR THE AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE.

1 2. "RELIGIOUS EMPLOYER" MEANS AN EMPLOYER THAT BOTH:
2 (a) IS A CHURCH OR A CONVENTION OR ASSOCIATION OF CHURCHES OR AN
3 ELEMENTARY OR SECONDARY SCHOOL THAT IS CONTROLLED, OPERATED OR PRINCIPALLY
4 SUPPORTED BY A CHURCH OR BY A CONVENTION OR ASSOCIATION OF CHURCHES.
5 (b) QUALIFIES AS A TAX-EXEMPT ORGANIZATION UNDER SECTION 501(c)(3)
6 OF THE UNITED STATES INTERNAL REVENUE CODE.
7 3. "REPRODUCTIVE AGE" MEANS THE AGE RANGE IN WHICH AN INDIVIDUAL IS
8 DEEMED FERTILE AS ESTABLISHED BY THE AMERICAN SOCIETY OF CLINICAL ONCOLOGY
9 OR THE AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE.
10 4. "STANDARD FERTILITY PRESERVATION SERVICES":
11 (a) MEANS:
12 (i) OOCYTE AND SPERM PRESERVATION PROCEDURES THAT ARE CONSISTENT
13 WITH ESTABLISHED MEDICAL PRACTICES OR PROFESSIONAL GUIDELINES PUBLISHED BY
14 THE AMERICAN SOCIETY OF CLINICAL ONCOLOGY OR THE AMERICAN SOCIETY FOR
15 REPRODUCTIVE MEDICINE.
16 (ii) THE STORAGE FOR AT LEAST THREE YEARS OF PRESERVED OVARIAN
17 TISSUE, SPERM AND OOCYTE.
18 (b) INCLUDES CRYOPRESERVATION OF ANY OF THE FOLLOWING:
19 (i) OVARIAN TISSUE.
20 (ii) SPERM.
21 (iii) OOCYTE.
22 Sec. 3. Title 20, chapter 6, article 4, Arizona Revised Statutes,
23 is amended by adding section 20-1376.11, to read:
24 20-1376.11. Fertility preservation coverage; requirements;
25 religious employer; exemption; definitions
26 A. A DISABILITY INSURER THAT ISSUES, AMENDS OR RENEWS A POLICY ON
27 OR AFTER JANUARY 1, 2027 SHALL PROVIDE COVERAGE FOR STANDARD FERTILITY
28 PRESERVATION SERVICES TO AN INSURED WHO IS WITHIN REPRODUCTIVE AGE, WHO IS
29 DIAGNOSED WITH CANCER AND WHOSE MEDICALLY NECESSARY TREATMENT MAY DIRECTLY
30 OR INDIRECTLY CAUSE IATROGENIC INFERTILITY.
31 B. A DISABILITY INSURER MAY NOT REQUIRE PREAUTHORIZATION FOR
32 STANDARD FERTILITY PRESERVATION SERVICES. A POLICY MAY CONTAIN PROVISIONS
33 FOR MAXIMUM BENEFITS AND MAY REQUIRE THAT STANDARD FERTILITY PRESERVATION
34 SERVICES BE SUBJECT TO THE SAME DEDUCTIBLES, COPAYMENTS, COINSURANCE AND
35 REASONABLE LIMITATIONS AND EXCLUSIONS THAT ARE CONSISTENT WITH THIS
36 SECTION.
37 C. A RELIGIOUS EMPLOYER MAY SUBMIT A WRITTEN REQUEST FOR AN
38 EXEMPTION FROM THE REQUIREMENTS OF THIS SECTION TO A DISABILITY INSURER,
39 AND THE DISABILITY INSURER SHALL GRANT THE EXEMPTION IF THE COVERAGE
40 REQUIRED BY THIS SECTION CONFLICTS WITH THE EMPLOYER'S RELIGIOUS BELIEFS.
41 A RELIGIOUS EMPLOYER THAT OBTAINS AN EXEMPTION SHALL PROVIDE WRITTEN
42 NOTICE OF THE EXEMPTION TO PROSPECTIVE INSURED.
43 D. THIS SECTION DOES NOT PREVENT AN INSURED FROM PURCHASING A
44 SUPPLEMENTAL INSURANCE POLICY THAT COVERS STANDARD FERTILITY PRESERVATION
45 SERVICES AT THE INSURED'S OWN EXPENSE.

1 E. FOR THE PURPOSES OF THIS SECTION:
2 1. "IATROGENIC INFERTILITY" MEANS AN IMPAIRMENT OF FERTILITY THAT
3 IS CAUSED DIRECTLY OR INDIRECTLY BY SURGERY, CHEMOTHERAPY, RADIATION OR
4 OTHER MEDICAL TREATMENT THAT HAS A POTENTIAL SIDE EFFECT OF IMPAIRED
5 FERTILITY AS ESTABLISHED BY THE AMERICAN SOCIETY OF CLINICAL ONCOLOGY OR
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10 SUPPORTED BY A CHURCH OR BY A CONVENTION OR ASSOCIATION OF CHURCHES.
11 (b) QUALIFIES AS A TAX-EXEMPT ORGANIZATION UNDER SECTION 501(c)(3)
12 OF THE UNITED STATES INTERNAL REVENUE CODE.
13 3. "REPRODUCTIVE AGE" MEANS THE AGE RANGE IN WHICH AN INDIVIDUAL IS
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22 (ii) THE STORAGE FOR AT LEAST THREE YEARS OF PRESERVED OVARIAN
23 TISSUE, SPERM AND OOCYTE.
24 (b) INCLUDES CRYOPRESERVATION OF ANY OF THE FOLLOWING:
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28 Sec. 4. Title 20, chapter 6, article 5, Arizona Revised Statutes,
29 is amended by adding section 20-1406.11, to read:
30 20-1406.11. Fertility preservation coverage; requirements;
31 religious employer; exemption; definitions
32 A. A GROUP OR BLANKET DISABILITY INSURER THAT ISSUES, AMENDS OR
33 RENEWS A POLICY ON OR AFTER JANUARY 1, 2027 SHALL PROVIDE COVERAGE FOR
34 STANDARD FERTILITY PRESERVATION SERVICES TO AN INSURED WHO IS WITHIN
35 REPRODUCTIVE AGE, WHO IS DIAGNOSED WITH CANCER AND WHOSE MEDICALLY
36 NECESSARY TREATMENT MAY DIRECTLY OR INDIRECTLY CAUSE IATROGENIC
37 INFERTILITY.
38 B. A GROUP OR BLANKET DISABILITY INSURER MAY NOT REQUIRE
39 PREAUTHORIZATION FOR STANDARD FERTILITY PRESERVATION SERVICES. A POLICY
40 MAY CONTAIN PROVISIONS FOR MAXIMUM BENEFITS AND MAY REQUIRE THAT STANDARD
41 FERTILITY PRESERVATION SERVICES BE SUBJECT TO THE SAME DEDUCTIBLES,
42 COPAYMENTS, COINSURANCE AND REASONABLE LIMITATIONS AND EXCLUSIONS THAT ARE
43 CONSISTENT WITH THIS SECTION.

1 C. A RELIGIOUS EMPLOYER MAY SUBMIT A WRITTEN REQUEST FOR AN
2 EXEMPTION FROM THE REQUIREMENTS OF THIS SECTION TO A GROUP OR BLANKET
3 DISABILITY INSURER, AND THE GROUP OR BLANKET DISABILITY INSURER SHALL
4 GRANT THE EXEMPTION IF THE COVERAGE REQUIRED BY THIS SECTION CONFLICTS
5 WITH THE EMPLOYER'S RELIGIOUS BELIEFS. A RELIGIOUS EMPLOYER THAT OBTAINS
6 AN EXEMPTION SHALL PROVIDE WRITTEN NOTICE OF THE EXEMPTION TO PROSPECTIVE
7 INSUREDS.

8 D. THIS SECTION DOES NOT PREVENT AN INSURED FROM PURCHASING A
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