

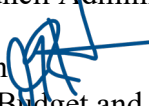



February 19, 2025

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

Colette R. Gresham, Esq.
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: David Noto 
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-007-2025

CB-007-2025 (*Proposed by:* Council Member Fisher)

Assigned to the Health, Human Services and Public Safety Committee

AN ACT CONCERNING COUNTY EMPLOYEE ACCESS TO IN VITRO FERTILIZATION AND EGG FREEZING FERTILITY COVERAGE for the purpose of requiring that any health insurer contracted to offer health insurance plans to county employees include health insurance plans which will feature and have IVF and Egg Freezing fertility coverage as an offered part of health insurance.

Fiscal Summary

Direct Impact

Expenditures: No likely impact, as IVF and other fertility preservation techniques are already guaranteed under Maryland state law.

Revenues: No impact likely.

Indirect Impact

No impact likely.

Legislative Summary:

CB-007-2025, proposed by Council Member Fisher was presented on January 28th, 2025, and referred to the HHSPS Committee. This legislation would require the County to require that health insurance provided by the Prince George’s County government will have in vitro fertilization (IVF) and egg freezing fertility coverage as an offered part of health insurance.

Current Law/Background:

The National Institute for Child health and Human Development defines “infertility” as a “term used to describe the inability of a couple to get pregnant or the inability of a woman to carry a pregnancy to term. Infertility is defined clinically as not being able to achieve pregnancy after 1 year of having regular, unprotected intercourse, or after 6 months if the woman is older than 35 years of age.”¹ Fertility preservation is the process of saving or protecting eggs, sperm, or reproductive tissue so that a person can use them to have children in the future². According to the U.S. Department of Health and Human Services, over 2% of infants born in the US were conceived through assisted reproductive technology, such as IVF, in 2021.³ However, the procedures are expensive, ranging between \$14,000 to \$25,000 for just one cycle⁴. Fertility treatments are not currently required to be covered under any federal health insurance rules, so the decision to provide coverage rests with the states.

State Law:

Maryland law requires employers offering pregnancy-related benefits to include IVF coverage. Maryland is one of 13 states that mandate health insurers offer infertility coverage such as IVF, including coverage for fertility preservation including egg freezing^{5,6}. Maryland has had a coverage mandate of fertility treatments since 10/1/1997⁷. However, the state has only had a fertility

¹ [Infertility and Fertility | NICHD - Eunice Kennedy Shriver National Institute of Child Health and Human Development](#)

² Ibid

³ [2025-01-02 05:49 | Archive of HHS.gov](#)

⁴ [Map Shows States Already Requiring Insurance to Cover IVF - Newsweek](#)

⁵ [Egg freezing: What to know about the costs and questions to ask – NBC4 Washington](#)

⁶ [Insurance Coverage by State | RESOLVE: The National Infertility Association](#)

⁷ [Maryland Insurance | ReproductiveFacts.org](#)

preservation mandate since 1/1/2019⁸. The Maryland Statute §15–810 outlines eligibility.⁹ Patients are required to first attempt less costly infertility treatments covered by insurance and are limited to three IVF attempts¹⁰. Maryland’s law includes specific exceptions and exclusions despite its comprehensive coverage. Insurers may impose a lifetime benefits cap on IVF, leading to potential out-of-pocket expenses for patients¹¹. Maryland law provides legal protections for individuals seeking IVF coverage, with the Maryland Insurance Administration (MIA) overseeing enforcement.

Resource Personnel:

- Leroy Maddox, Legislative Officer
-

Discussion/Policy Analysis:

CB-007-2025

CB-007-2025 would amend Section 16-212, of the Prince George's County Code and would reenact Subtitle 16 with the following amendment:

Sec. 16-212. - Health and life insurance plans.

The County Executive shall establish health and life insurance plans for the benefit of all permanent status employees. Said plans may provide for contributions by both the County and participating employees toward the cost of maintaining said plans. The benefits established under said plans, as well as any County contributions thereto, may be increased from time to time by the County Executive, but said benefits and/or contributions shall not be decreased by the County Executive without the prior approval of the County Council by resolution or by a specific reduction of the amount of funds budgeted for said purposes. Any insurer contracted with or procured by the County to provide health insurance to county employees shall offer at least one health insurance plan to county employees that includes a hospital that both provides inpatient hospital care and is located in Prince George's County in the health insurance plan's coverage network for inpatient hospital care. This provision shall apply prospectively to the time of the County contract renewal, extension, or procurement for health insurance plans. *Any insurer contracted with or procured by the County to provide health insurance to county employees shall offer IVF and Egg Freezing fertility coverage as an offered part of health insurance. This provision shall apply prospectively to the time of the County contract renewal, extension, or procurement for health insurance plans.*

⁸ Ibid

⁹ [Laws - Statute Text](#)

¹⁰ Ibid

¹¹ Ibid

Economic Evaluation

As all health insurance plans currently offered by the County offer fertility coverage, and the state mandates coverage of fertility treatments, including IVF and egg freezing, this bill will have minimal economic impact on the County.

Fiscal Impact:

- *Direct Impact*

Enactment of CB-007-2025 is unlikely to have a direct fiscal impact on the County, as all health insurance plans currently offered by the County offer fertility coverage, and the State mandates coverage of fertility treatments, including IVF and egg freezing.

- *Indirect Impact*

Enactment of CB-007-2025 is unlikely to have an indirect impact on the County for the same reasons stated above.

- *Appropriated in the Current Fiscal Year Budget*

No.

Effective Date of Proposed Legislation:

The proposed Act shall take effect forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.