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April 8, 2022

The Honorable Jim Wood  
Chair of the Assembly Committee on Health  
1020 N Street, Room 390  
Sacramento, CA 95814

#### RE: AB 2029 (Wicks) – SUPPORT

Dear Chair Wood,

RESOLVE: The National Infertility Association represents the millions of women and men in the U.S. with the disease of infertility and all individuals and couples who struggle to build a family.

I am writing in strong support of AB 2029 (Wicks), which updates California's current infertility insurance law to require health plans to provide coverage for fertility care, including in vitro fertilization (IVF). The current "mandate to offer" is more than 30 years old; includes a heteronormative definition of infertility that discriminates against the LGBTQ+ community and unpartnered individuals; excludes IVF, the standard of care for some patients; and allows employers to deny offering coverage for any reason. It is past time for this archaic law to be updated.

According to the CDC, one in eight individuals or couples have trouble getting pregnant or sustaining a pregnancy. Infertility cuts across socioeconomic levels, racial identities, ethnic backgrounds, sexual orientations, gender identities, and religious affiliations. Many medical conditions can impact fertility, as this Legislature recognized in addressing fertility preservation for cancer patients just two years ago. The American Medical Association, the American College of Obstetricians and Gynecologists, and the World Health Organization all recognize infertility as a disease. As such, infertility should be covered by health insurance like other diseases so that Californians can access the care they need to build their families.

For the LGBTQ+ community, family building is often a complicated process, worsened by current California law and its heteronormative definition of infertility that excludes them from most insurance coverage. Because medical intervention using donor gametes is necessary for same-sex couples to have a baby, the lack of insurance coverage creates an unfair financial burden on this population. AB 2029 features anti-discrimination language and an inclusive definition of infertility used in other states and most recently passed into law in Illinois in 2021.

For BIPOC (Black, Indigenous, and people of color) communities, lack of access to care is well documented. Analyses by both the CDC and Pew Research Center reveal racial disparities in fertility treatment. An estimated 15% of white women report utilizing some fertility services, whereas only 8% of Black women and 7.6% of Hispanic women can say the same. AB 2029 will improve access to care and outcomes for currently

underserved communities, including racial and ethnic minorities and lower-income populations.

Two years ago, SB-600 recognized fertility preservation as medically necessary for cancer patients and others at risk of iatrogenic, or medically-induced, infertility. As a result, Californians are now able to preserve their eggs and sperm before undergoing potentially sterilizing medical treatment. Yet many of these patients are unable to complete their family building because they cannot afford the medically-necessary treatment of IVF. AB 2029 will enable these patients to take the next step of IVF using their preserved eggs, sperm, or embryos.

For these reasons, RESOLVE is proud to support AB 2029 and respectfully urges the Committee's support as well. We are happy to provide you additional information on this issue as RESOLVE has been providing support, information, and advocacy for the infertility community since 1974. I can be reached at [bcollura@resolve.org](mailto:bcollura@resolve.org) and our website is [www.resolve.org](http://www.resolve.org).

Sincerely,

A handwritten signature in black ink that reads "Barbara Collura". The script is fluid and cursive, with a long horizontal flourish at the end of the name.

Barbara L. Collura  
President/CEO  
RESOLVE: The National Infertility Association