

Dear Chair Murray and distinguished members of the Senate Committee on Health and Human Services:

My name is Jackson Hall, and I am a third year medical student at The Warren Alpert School of Medicine at Brown University.

I am testifying in strong support of Senate Bill 2460 by Senator Mack. Fertility health care is essential for building families. Rhode Island was previously a leader in access to fertility care, passing legislation in 1989 to support family building. Unfortunately, medicine has moved far beyond where we were in 1989, and the current provision is outdated. This bill will improve access to family building health care by aligning fertility health care insurance coverage with the medical standard of care, which clearly includes LGBTQ+ and single people, so more Rhode Island residents have the opportunity to build their family.

The current definition of infertility is not all-encompassing and primarily covers fertility assistance for heterosexual couples. However, LGBTQ+ and single people also desire children and should not be excluded from coverage because of their identity or family structure. Expanding the definition of infertility would increase equity for all patients and allow all people to decide if, when, and how they want to have children without the significant financial burden that currently deters many individuals and families. These supports are already afforded to many heterosexual couples; this bill would not take away their ability to access fertility assistance, but would instead expand that access to all people.

This would allow health care to help complete many families and create many loving homes. Moreover, adoption or fostering should not be treated as a substitute for fertility care, because heterosexual couples experiencing infertility are not simply told to adopt or foster instead. This bill would help bring all groups of people in line with the same standard of care.

The current law is outdated, the definition used for fertility is not in alignment with the time and where Rhode Island is as a state. The American Society of Reproductive Medicine changed their definition of infertility in 2023, making this change would give more Rhode Islander's who pay for private insurance the coverage needed to complete their families and ensure they have proper access to care. The current definition has not been updated since 1989, causing significant barriers to LGBTQ+ families and single individuals.

Fertility care is a vital part of health care, and everybody should be able to access it through their insurance. Without proper coverage fertility health care such as IVF can put a significant financial burden on families costing upwards of tens of thousands of dollars out of pocket<sup>1</sup>. This bill also seeks to expand access to a group of people facing many attacks on their reproductive freedom, basic healthcare needs, and personal autonomy, now is a more important time than ever to protect them and expand access to fertility care.

Moreover, this is not an uncommon issue, around 9% of men and 11% of women in the United States have experienced issues with fertility<sup>2</sup>. This is even more important to consider as black women are twice as likely to suffer from issues with fertility and are even less likely to access fertility assistance care.

This bill also seeks to expand access at a time when reproductive health care, including fertility care, is in an incredibly vulnerable place across the country. In 2024, the Alabama Supreme Court ruled that cryopreserved embryos could be treated as children under the state's wrongful death law, creating immediate uncertainty for patients and clinics relying on IVF. That case showed how quickly fertility care can be disrupted when state law does not clearly protect access to reproductive health care.

Rhode Island has an incredibly impactful opportunity through this bill to strengthen our state law and position to make health care accessible for all Rhode Islanders.

I support S 2460 because access to family-building health care such as IVF is essential health care for all people in our state, not just some. This is an urgent reproductive and economic justice issue. With the current hostile political landscape for reproductive health, our state must do everything we can to stand for the fundamental right for people to be able to decide whether, when, and how to have children. I urge the committee and legislature to vote favorably for S 2460 to improve fertility health care coverage and update our state law, which is outdated and doesn't reflect the standard of health care, so more Rhode Island residents have access to the essential medical care they need to build their families.

Thank you for your time and consideration.

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## **References**

1. Gabriela Weigel, Usha Ranji, Michelle Long & Alina Salganicoff, *Coverage and Use of Fertility Services in the U.S.*, Kaiser Family Foundation (Sept. 15, 2020).
2. National Institute of Child Health and Human Development, *How common is infertility?*, <https://www.nichd.nih.gov/health/topics/infertility/conditioninfo/common#f1>.