

# STATE OF NEW YORK

11148

## IN ASSEMBLY

November 6, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Hunter) --  
read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to including same-sex  
couples in the definition of infertility

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Item (I) of clause (v) of subparagraph (C) of paragraph 6  
2 of subsection (k) of section 3221 of the insurance law, as amended by  
3 section 1 of part L of chapter 57 of the laws of 2019, is amended to  
4 read as follows:

5 (I) For the purposes of this paragraph, "infertility" means a disease  
6 or condition characterized by the incapacity to impregnate another  
7 person or to conceive, defined by the failure to establish a clinical  
8 pregnancy after twelve months of regular, unprotected sexual intercourse  
9 or therapeutic donor insemination, or after six months of regular,  
10 unprotected sexual intercourse or therapeutic donor insemination for a  
11 female thirty-five years of age or older, or be in a same-sex relation-  
12 ship. Earlier evaluation and treatment may be warranted based on an  
13 individual's medical history or physical findings.

14 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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