



## **PRESS RELEASE**

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### **FOR IMMEDIATE RELEASE**

#### **RESOLVE of the Bay State Advocates for Reform of Massachusetts Infertility Mandate at State House Committee Hearing on May 6**

#### ***New Bill Would Stop Insurers From Denying Coverage to Patients Who Miscarry***

**(Waltham: April 30, 2009):** RESOLVE of the Bay State, the Massachusetts infertility support, education and advocacy organization that spearheaded the enactment of the nation's first mandated infertility coverage for the Bay State in 1987, is working with Senator Thomas McGee to support the passage of proposed Senate Bill No. 485. This bill would amend the existing law's definition of infertility to bring it up to date with the current medical understanding of this disease, which includes the inability to carry a pregnancy to a live birth. The new version also will allow couples to obtain treatment without the undue delays they currently face and while the disease is still treatable. The Joint Committee on Financial Services will sponsor hearings on the bill on May 6 at 1:00 p.m. in the State House, Room A2.

#### **Insurance Companies Currently Use Loopholes to Deny Coverage**

Sharon Ralston and Andrew Aylesworth were pregnant with their first baby when pre-natal testing revealed Andrew carried a balanced translocation disorder on chromosomes one and four. Balanced translocations can cause infertility, miscarriage and birth defects and the chances for a healthy child are extremely slim. Luckily the Framingham couple beat the odds with Maya, who was born healthy, but Sharon's ensuing four pregnancies were all abnormal, and none resulted in an addition to their family. Their physician at

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## ***RESOLVE of the Bay State Fights To Expand Massachusetts Infertility Mandate***

Brigham and Women's Hospital advised them to undergo in vitro fertilization with preimplantation genetic diagnosis (PGD), since this was their only hope to prevent yet another pregnancy tragedy and the subsequent emotional and physical hardship. But they were not prepared for the further shock of learning that their insurance carrier, Tufts Health Plan, would not pay for this treatment. The insurer did not consider Ralston and Aylesworth infertile since they had conceived the other four times despite not achieving a healthy live birth. After scraping together \$18,000 for a one shot attempt, which resulted in the birth of their now healthy six-month-old son, Ryne, Sharon and Andrew want to help other couples and individuals who would be faced with the same agonizing circumstances. Sharon Ralston will be one of the RESOLVE members who will be testifying at the May 6 hearing of the Joint Committee on Financial Services.

“Sharon and Andrew are perfect examples of why the Massachusetts Infertility Mandate needs to be amended to include an expanded definition of infertility, and to live up to the original spirit and intent of the legislation, which was to provide insurance coverage so infertile people can have babies,” said Rebecca Lubens, executive director of RESOLVE of the Bay State. “To rule that a woman who miscarries repeatedly is ‘fertile’ makes no sense from clinical, mental health and financial perspectives.”

Senate Bill No. 485 would accomplish two important goals: Update the definition of infertility in the mandate to conform with the one prescribed by the American Society of Reproductive Medicine's practice standards, so that it is defined as: one year of trying to get pregnant if the woman is age 35 or younger; 6 months of trying if the woman is over age 35. The bill also would stop insurers from denying coverage to patients who conceive a baby but miscarry. So if a couple conceives but has a miscarriage, the one-year (or 6-month) waiting period for treatment does not start all over again; the time spent trying to conceive before pregnancy will still count toward the waiting period.

Since the infertility mandate was passed by the Massachusetts legislature 22 years ago, infertile men and women in this state have had access to the necessary treatment for their medical condition. As a direct result, more than 60,000 babies have been born in this Commonwealth since 1987— a number that shows loud and clear that Massachusetts

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***RESOLVE of the Bay State Fights To Expand Massachusetts Infertility Mandate*** ,

believes in the importance of creating families.

In the wake of Massachusetts' leadership, other states have passed similar pro-family mandates that include provisions comparable to those proposed by Senate Bill 485. Thus, Senate Bill No. 485 brings the Massachusetts mandate up to date and in line with the national trend.

**About RESOLVE of the Bay State**

RESOLVE of the Bay State is a non-profit, consumer-based infertility support organization that provides compassionate and informed help to people experiencing infertility. Barbara Eck, a nurse who experienced infertility and was seeking resources for support, founded RESOLVE in Massachusetts in 1974. RESOLVE of the Bay State offers a variety of programs and services focusing on infertility, adoption, and donor conception. More information on RESOLVE of the Bay State can be found at [www.resolveofthebaystate.org](http://www.resolveofthebaystate.org)

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