



Written by [Dave Bohon](#) on October 18, 2013

Calif. Health Insurers Must Cover Fertility Treatments for Gay Couples

Under a new measure signed into law by California Governor Jerry Brown, beginning next year health insurance plans in the state will have to cover fertility treatments for both homosexual couples and single individuals. Previously the state's insurance code included no such stipulations, giving insurers the option of extending or denying coverage to non-traditional patients desiring the treatment. With the new law, however, the code has been amended to prohibit insurers from withholding fertility treatments based on "age, ancestry, color, disability, domestic partner status, gender, gender expression, gender identity, genetic information, marital status, national origin, sex or sexual orientation."



The bill was sponsored by 70-year-old state assemblyman Tom Ammiano, a San Francisco Democrat whose own 16-year homosexual partnership ended in 1994 when the man he was living with died of AIDS. Ammiano, a longtime homosexual activist, declared in a statement concerning the measure: "Reproductive medicine is for everybody's benefit. To restrict fertility coverage solely to heterosexual married couples violates California's non-discrimination laws. I wrote this bill to correct that."

Homosexual activists applauded the measure as another step toward full "equality" of homosexual pairs with traditional married couples. "We applaud the governor and the legislature for recognizing that same-sex couples, transgender people, and single women should have equal access to fertility services," said Cathy Sakimura of the San Francisco-based National Center for Lesbian Rights.

Citing the bill, [CNSNews.com](#) noted that under the new measure, "most fertility treatments, including some that cost tens of thousands of dollars, are included, such as 'diagnosis, diagnostic tests, medication, surgery, and gamete intrafallopian transfer.' Although the law covers artificial insemination, it specifically excludes in vitro fertilization."

The [Associated Press](#) noted: "One complication facing same-sex couples is that insurance coverage for fertility treatments typically does not kick in until couples have tried to conceive naturally for 12 months. That's not possible for same-sex couples, who might face treatments costing tens of thousands of dollars out of pocket before coverage would apply, said Judy Appel, executive director of Our Family Coalition, a San Francisco-based group that advocates for same-sex couples and supported Ammiano's bill."

One part of the measure which most likely stuck in the craws of homosexual activists is a clause emphasizing that the bill "shall not be construed to require any plan, which is a subsidiary of an entity whose owner or corporate member is a religious organization, to offer coverage for treatment of



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infertility in a manner inconsistent with that religious organization's religious and ethical principles." Observers speculated that the clause might ultimately become the focus of a lawsuit by a homosexual couple trying to force a religious organization to cover fertility treatments in opposition to its stated moral code.

As far as the overall cost to the state of extending coverage for the treatments to homosexual couples and other single individuals, the California Health Benefits Review Program noted in an analysis of the bill that "impact on costs is unknown," including whether costs for covering the treatments will be folded into the health insurance premiums paid by other Californians.

The California Association of Health Plans, which represents state insurers, insisted its concerns had been addressed and that, according to a spokesman, the group was comfortable that "the plans will move forward and implement the law."



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