
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1315 Session of
2026

INTRODUCED BY PENNYCUICK, MILLER, HAYWOOD, BARTOLOTTA, SCHWANK,
VOGEL, PISCIOTTANO, MALONE, COSTA, J. WARD, BOSCOLA, FARRY,
COLLETT, CULVER, KIM AND KANE, MAY 21, 2026

REFERRED TO BANKING AND INSURANCE, MAY 21, 2026

AN ACT

1 Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An
2 act relating to insurance; amending, revising, and
3 consolidating the law providing for the incorporation of
4 insurance companies, and the regulation, supervision, and
5 protection of home and foreign insurance companies, Lloyds
6 associations, reciprocal and inter-insurance exchanges, and
7 fire insurance rating bureaus, and the regulation and
8 supervision of insurance carried by such companies,
9 associations, and exchanges, including insurance carried by
10 the State Workmen's Insurance Fund; providing penalties; and
11 repealing existing laws," in casualty insurance, providing
12 for coverage for certain fertility preservation services.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. The act of May 17, 1921 (P.L.682, No.284), known
16 as The Insurance Company Law of 1921, is amended by adding a
17 section to read:

18 Section 635.11. Coverage for Certain Fertility Preservation
19 Services.--(a) An insurer that offers, issues or renews a
20 health insurance policy in this Commonwealth shall include
21 fertility preservation services as a covered benefit for a
22 covered person if a medically necessary treatment may directly

1 or indirectly cause iatrogenic infertility in the covered
2 person. The following shall apply to coverage under this
3 section:

4 (1) Coverage under this section shall include storage for
5 not less than three years at an in-network facility.

6 (2) If an insurer does not have an in-network facility
7 available for storage or an in-network facility becomes
8 unavailable during the period specified under clause (1), the
9 in-network requirement under clause (1) shall not apply to
10 storage.

11 (3) An insurer may impose a lifetime maximum benefit for
12 coverage under this section if the lifetime maximum benefit is
13 not less than one hundred thousand dollars (\$100,000) for each
14 covered person.

15 (4) An insurer may limit coverage under this section to a
16 period that ends on the earlier of the following:

17 (i) Three years after the date of the medically necessary
18 treatment that may directly or indirectly cause iatrogenic
19 infertility in the covered person.

20 (ii) The date on which the covered person is no longer
21 covered under the health insurance policy.

22 (5) Coverage under this section shall be subject to all of
23 the following:

24 (i) Article XXI.

25 (ii) The terms and conditions of the health insurance
26 policy, including determinations of medical necessity and
27 clinical review criteria used for utilization review of health
28 care services, copayment provisions, deductible provisions and
29 coinsurance provisions.

30 (6) Coverage under this section shall be administered in a

1 similar manner to other health care services provided under the
2 terms and conditions of the health insurance policy.

3 (b) A religious employer may submit a written request to an
4 insurer for an exemption from the coverage required under
5 subsection (a). The insurer shall grant the exemption if the
6 coverage conflicts with the religious employer's bona fide
7 religious beliefs and practices.

8 (c) A religious employer that obtains an exemption under
9 subsection (b) shall provide written notice of the exemption to
10 each prospective enrollee covered under the health insurance
11 policy.

12 (d) Nothing in this section shall prohibit an enrollee
13 covered under a health insurance policy provided by a religious
14 employer from purchasing, at the enrollee's own expense, a
15 supplemental insurance policy that covers fertility preservation
16 services.

17 (e) As used in this section, the following words and phrases
18 shall have the meanings given to them in this subsection unless
19 the context clearly indicates otherwise:

20 "Fertility preservation service" means a procedure or service
21 to preserve fertility in accordance with nationally recognized
22 clinical or professional guidelines existing on the effective
23 date of this section. The term includes egg retrieval, sperm
24 retrieval, ovarian tissue retrieval and cryopreservation.

25 "Health care service" means a treatment, admission,
26 procedure, medical supply, medical equipment or other service,
27 including behavioral health, ordered or otherwise provided or
28 proposed to be provided by a health care provider to a patient
29 for the diagnosis, prevention, treatment, cure or relief of a
30 health condition, illness, injury or disease.

1 "Health insurance policy" means as follows:

2 (1) An individual or group health insurance policy,
3 subscriber contract, certificate or plan that provides medical
4 or health care coverage by a health care facility or licensed
5 health care provider on an expense-incurred service or prepaid
6 basis and that is offered by or governed under any of the
7 following:

8 (i) This act.

9 (ii) The act of December 29, 1972 (P.L.1701, No.364), known
10 as the "Health Maintenance Organization Act."

11 (iii) 40 Pa.C.S. Ch. 61 (relating to hospital plan
12 corporations) or 63 (relating to professional health services
13 plan corporations).

14 (2) The term does not include any of the following policies:

15 (i) An accident only policy.

16 (ii) A credit only policy.

17 (iii) A long-term care or disability income policy.

18 (iv) A specified disease policy.

19 (v) A Medicare supplement policy.

20 (vi) A TRICARE policy, including a Civilian Health and
21 Medical Program of the Uniformed Services supplement policy.

22 (vii) A fixed indemnity policy.

23 (viii) A dental only policy.

24 (ix) A vision only policy.

25 (x) A workers' compensation policy.

26 (xi) An automobile medical payment policy under 75 Pa.C.S.
27 (relating to vehicles).

28 "Iatrogenic infertility" means an impairment of fertility
29 caused directly or indirectly by a medically necessary treatment
30 for cancer. The term includes an impairment of fertility caused

1 directly or indirectly by surgery, chemotherapy, radiation or
2 another medical treatment with a potential side effect of
3 impaired fertility.

4 "Religious employer" means an employer that is a church,
5 convention or association of churches or an elementary or
6 secondary school that is controlled, operated or principally
7 supported by a church as defined in 26 U.S.C. § 3121(w) (3) (A)
8 (relating to definitions) and qualifies as a tax-exempt
9 organization under 26 U.S.C. § 501(c) (3) (relating to exemption
10 from tax on corporations, certain trusts, etc.).

11 Section 2. This act shall apply as follows:

12 (1) For a health insurance policy for which either rates
13 or forms are required to be filed with the Federal Government
14 or the Insurance Department, the addition of section 635.11
15 of the act shall apply to a policy for which a form or rate
16 is first filed on or after 180 days after the effective date
17 of this paragraph.

18 (2) For a health insurance policy for which neither
19 rates nor forms are required to be filed with the Federal
20 Government or the Insurance Department, the addition of
21 section 635.11 of the act shall apply to a policy issued or
22 renewed on or after 180 days after the effective date of this
23 paragraph.

24 Section 3. This act shall take effect immediately.