



Physicians Caring for Texans

House Insurance Committee
Testimony by Elisabeth Potter, MD, Texas Medical Association
House Bill 389 (Fertility Preservation) by Rep. Nicole Collier
April 4, 2023

Thank you, Chairman Oliverson, Vice-Chair Johnson, and committee members, for allowing me to testify today. My name is Dr. Elisabeth Potter, and I am a plastic surgeon here in Austin. I am testifying on behalf of myself and TMA and its more than 57,000 members, in support of House Bill 389.

Patients who are diagnosed with and treated for cancer often survive with a variety of adverse side effects from the treatment. These issues can include infertility, egg or sperm damage, and premature menopause caused by their cancer treatment. Fertility preservation services such as sperm, egg, and embryo freezing and storage can be an effective option for cancer survivors who wish to start a family in the future. However, these services are often unattainable due to their high cost, which can total in the tens of thousands of dollars. Health insurance typically does not cover these services.

This bill would provide insurance coverage for fertility preservation services to women who are receiving medically necessary treatment, including surgery, chemotherapy, and radiation. House Bill 389 would be ideal for women's health. We have strong TMA policy, adopted by our House of Delegates, that advocates for payment of fertility preservation therapy services by all payers when iatrogenic infertility may be caused directly or indirectly by necessary medical treatments as determined by a licensed physician.

Again, thank you, Mr. Chairman and committee members, for allowing me to testify today in support of House Bill 389. I appreciate your work and I am happy to answer any questions.