

Nevada Division of Public and Behavioral Health

Nevada Surrogacy Insurance Coverage Bill

Assembly Bill (AB) 472 of the 80th Session of the Nevada Legislature
(https://www.leg.state.nv.us/Session/80th2019/Bills/AB/AB472_EN.pdf)

The Nevada Surrogacy Insurance Bill (AB 472 of the 80th Session of the Nevada Legislature) prohibits an insurer from denying certain coverage for maternity care because the insured acts as a gestational carrier; deeming a child carried by a gestational carrier to be the child of the intended parent for certain purposes; and providing other matters properly relating thereto. This act becomes effective on January 1st, 2020.

Existing law prohibits an individual or group insurance plan from denying coverage or restricting benefits for any length of stay in a hospital in connection with childbirth to less than 48 hours after a vaginal delivery or 96 hours after cesarean section.

Insurers, excluding Medicaid and insurance provided by local governments for their employees, are prohibited from denying, limiting or seeking reimbursement for maternity care because the insured acts as a gestational carrier; and require a child carried by a gestational carrier to be deemed, for purposes relating to a policy of health insurance, to be child of the person or persons who manifest the intent to be legally bound as the parent of the child.

An insurer, carrier, voluntary purchasing group, health maintenance organization, society, managed care organization, a policy of health insurance, group health insurance, health benefit plan, health care plan, a contract for hospital or medical services that offers, issues or includes coverage for maternity care shall not deny, limit or seek reimbursement for maternity care because the insured is acting as a gestational carrier.

If an insured or enrollee acts as a gestational carrier, the child shall be deemed to be a child of the intended parent, as defined in Nevada Revised Statutes (NRS) 126.590, for purposes related to the policy of health insurance

“Gestational Carrier” has the meaning ascribed to it in NRS 126.580