

## What You Need to Know About California's New Infertility Coverage Law (SB 729)

A new California law is changing the landscape for infertility benefits — and Warner Pacific is here to help you stay ahead of the curve.

Effective January 1, 2026, Senate Bill 729 (SB 729) requires fully insured Large Group health plans issued, amended, or renewed on or after that date to include coverage for the diagnosis and treatment of infertility, including in vitro fertilization (IVF). For brokers and employers alike, this means infertility coverage is no longer optional — it's becoming a standard part of fully insured Large Group offerings in California.

**Implementation Timeline:** SB 729 will take effect January 1, 2026.

### Fully Insured Large Group Plans (101+ Employees)

Plans must now include:

- Diagnosis and treatment of infertility
- IVF, GIFT, and ZIFT
- Up to 3 oocyte retrieval cycles per lifetime
- Unlimited embryo transfers
- Medically necessary prescription drugs and related care

No lifetime or annual dollar limits are allowed, and coverage must be provided without discrimination based on gender, relationship status, or sexual orientation.

### Small Group Plans (1-100 Employees)

**Carriers** must offer at least one plan that includes:

- The same comprehensive infertility and IVF benefits required for Large Group
- **Employers** are **not** required to offer this plan to employees

### How "Infertility" is Defined Under SB 729

Infertility includes:

- Physician's diagnosis based on medical, sexual, or reproductive history
- Inability to conceive after 12 months of unprotected intercourse (6 months if over age 35)
- Individuals requiring medical intervention to reproduce
- Those experiencing repeated miscarriages

### Not Impacted by SB 729

- Self-funded and Level-Funded Plans (regulated federally under ERISA)
- Religious Employers
- Medi-Cal, Medicare
- CalPERS (until 2027)

Warner Pacific will continue to monitor the market and support brokers as fully insured carriers evolve their offerings.

## What You Can Do Now

- Review renewals for compliance and plan changes
- Talk to clients about new Small Group plan options
- Prepare for questions around benchmarking and voluntary parity in level-funded/self-funded plans

## Need help navigating the change?

**Warner Pacific is here to support you every step of the way.**