

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 473

Short Title: Right to IVF. (Public)

Sponsors: Representatives Helfrich, Cohn, Pittman, and Prather (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

March 24, 2025

A BILL TO BE ENTITLED
AN ACT PROTECTING THE RIGHT TO ACCESS ASSISTED REPRODUCTIVE
TECHNOLOGY; AND APPROPRIATING FUNDS TO THE DEPARTMENT OF
HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH BENEFITS, TO
INCREASE FUNDING FOR MEDICAID MATERNAL SUPPORT SERVICES.

The General Assembly of North Carolina enacts:

PART I. RIGHT TO ACCESS ASSISTED REPRODUCTIVE TECHNOLOGY

SECTION 1. Chapter 90 of the General Statutes is amended by adding a new Article
to read:

"Article 1O.

"Assisted Reproductive Technology.

"§ 90-21.160. Definitions.

The following definitions apply in this Article:

- (1) Assisted reproductive technology. – All treatments or procedures that include the handling of human oocytes or human embryos, including in vitro fertilization, gamete intrafallopian transfer, and zygote intrafallopian transfer.
- (2) Health care provider. – Either of the following:
 - a. An individual who is licensed, certified, or otherwise authorized under this Chapter to provide health care services in the ordinary course of business or practice of a profession or in an approved education or training program.
 - b. A health care facility licensed under Chapter 131E of the General Statutes to provide health care services to patients.

The term "health care provider" includes (i) an agent or employee of a health care facility that is licensed, certified, or otherwise authorized to provide health care services, (ii) the officers and directors of a health care facility, and (iii) an agent or employee of a health care provider who is licensed, certified, or otherwise authorized to provide health care services.
- (3) Health care service. – A health or medical procedure or service rendered by a health care provider that meets either of the following criteria:
 - a. Provides testing, diagnosis, or treatment of a health condition, illness, injury, or disease.
 - b. Dispenses drugs, medical devices, medical appliances, or medical goods for the treatment of a health condition, illness, injury, or disease.



1 **"§ 90-21.162. Right to access assisted reproductive technology.**

2 Neither the State nor any of its political subdivisions shall prohibit, unreasonably limit, or
3 interfere with any of the following:

- 4 (1) The right of a patient to access assisted reproductive technology.
5 (2) The right of a health care provider to provide or assist with the provision of
6 evidence-based information related to assisted reproductive technology.
7 (3) The right of a health care provider to perform or assist with the performance
8 of assisted reproductive technology.

9 **"§ 90-21.164. Fertilized human egg or human embryo not a human being.**

10 A fertilized human egg or human embryo that exists in any form outside of the uterus of a
11 human body shall not, under any circumstance, be considered an unborn fetus, an unborn child,
12 a minor child, a natural person, or any other term that connotes a human being for any purpose
13 under State law.

14 **"§ 90-21.166. Construction.**

15 Nothing in this Article shall be construed to prohibit the enforcement of health and safety
16 laws related to the operation of health care facilities or the provision of health care services by
17 health care providers."

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19 **PART II. INCREASE FUNDING FOR MEDICAID MATERNAL SUPPORT SERVICES**

20 **SECTION 2.** Effective July 1, 2025, there is appropriated from the General Fund to
21 the Department of Health and Human Services, Division of Health Benefits, the sum of five
22 hundred thousand dollars (\$500,000) in recurring funds for each year of the 2025-2027 fiscal
23 biennium to be used to increase funding for Medicaid maternal support services, also known as
24 the Baby Love Program. These funds shall provide a State match for nine hundred thirteen
25 thousand dollars (\$913,000) in recurring federal funds for each year of the 2025-2027 fiscal
26 biennium, and those federal funds are appropriated to the Division of Health Benefits to be used
27 for this same purpose.

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29 **PART III. EFFECTIVE DATE**

30 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
31 law.