




MEMORANDUM

TO: Mayor and Council Members

THROUGH: Veronica Briseño, Assistant City Manager

FROM: Rebecca Kennedy, Acting Human Resources Director 

DATE: January 12, 2023

SUBJECT: **Inclusion of family building support such as fertility and adoption and fostering assistance (Resolution No. 20220519-035)**

The purpose of this memorandum is to respond to [Resolution No. 20220519-035](#) requesting a study and recommendations for providing inclusive and high-quality family-building benefits to City employees, including, but not limited to, expanded access to IVF, cryopreservation, and support for adoption, foster care, and kinship placement services.

After receipt of the resolution, staff from the Human Resources Department worked with the City's actuary to research options, best practices, and benchmarking to provide analysis on expanded benefits. The benchmark information attached indicates that fertility services are not commonly covered or offered by the benchmark entities. Of the 14 entities surveyed, seven (7) offer some level of coverage, with two (2) of those in Texas (El Paso and Harris County). None of the entities surveyed fully cover all services.

The City's benefits plan is consistent with benchmark cities across the state. Including this coverage would have a significant ongoing fiscal impact to the benefit plan. Blue Cross Blue Shield, the City's insurance provider, has estimated that including these family-building benefits would be approximately one million dollars annually. Future projections already indicate large increases will be needed to maintain the current plan design for 2024 and beyond. Should there be direction provided to include these services, the following are offered as coverage options that pose a smaller fiscal impact to the health plan:

1. Lifetime Max for member where the City offers \$20,000 lifetime fertility benefit coverage.
2. Cover diagnosis and basic infertility treatments only; coinsurance applies after deductible for insemination; fertility drugs are excluded.

If you have additional questions, don't hesitate to contact me.

Attachment

cc: Spencer Cronk, City Manager

| 2022 Family Building Benefits | | Large Texas Cities | | | | | |
|---|---|---|--|--|---|--|---|
| As of Oct 2022 | City of Austin | City of Dallas | City of El Paso | City of Fort Worth | City of Houston | City of San Antonio | Travis County |
| Website Source | https://www.austintexas.gov/department/active-employee-benefits | https://dallascityhall.com/departments/humanresources/benefits/Pages/2021-Active-Benefits.aspx | https://www.elpasotexas.gov/human-resources/benefits/ | https://www.fortworthtexas.gov/departments/hr/employees/benefits https://www.fortworthtexas.gov/departments/hr/employees/forms | www.houstontx.gov/hr/ | https://www.sanantonio.gov/hr/EmployeeBenefits | https://www.traviscountytx.gov/human-resources/jobs/benefits |
| Current Benefits: | | | | | | | |
| In/Fertility Coverage | Excludes infertility treatment-related services & medications | Excludes in/fertility treatment, IVF, sexual dysfunctions, sterilization reversal, in/fertility medications | Per phone call, basic infertility treatment covered based on type of services and where it is received. | Covers testing but not treatment | Per email, Infertility covered services: lab and radiology test, counseling, surgical treatment, includes artificial insemination and excludes in-vitro fertilization, GIFT, ZIFT, etc. | Did not provide information; Per SBC, infertility treatment generally not covered; No SPD posted | Fertility benefits not covered per email response |
| Leave of Absence available: | | | | | | | |
| Leave Type - Outside of federal/state required leave | Paid Parental Leave; must qualify for FMLA, temp employees not eligible; Short Term Disability at no cost and option to purchase Long Term Disability benefits | Paid Parental Leave as of Oct 2021; full & part time employees must be eligible for FMLA; temp & seasonal employees not eligible; Option to purchase Short Term Disability and Long Term Disability benefits | Shared Parental Leave Policy: sick/vacation hours donated by employees to shared parental leave bank or to designated eligible employee; FMLA eligibility not required; Option to purchase Short Term Disability | Paid Parental Leave as of 2021; Option to purchase Short Term Disability and Long Term Disability benefits | Prenatal, Parental, and Infant Wellness Leave as of 05/14/2022 LTD at no cost to | Paid Parental Leave; Short Term Disability and Long Term Disability benefits at no cost | Paid Parental Leave recently added – 8 weeks, runs concurrent with FMLA when eligible; FMLA; Paid sick leave, vacation time accrued; Option to purchase Short Term Disability and Long Term Disability benefits |
| Leave Duration - Outside of federal/state required leave | Paid Parental Leave - 60-240 hours, based on scheduled workweek; runs in conjunction with FMLA, not required to exhaust other paid leave/time, and must be taken within 12 months of birth/adoption/foster care | Paid Parental Leave - Up to six weeks paid leave; runs concurrently with FMLA STD - 60% weekly earnings up to \$2,500 for 90 days with 14 days waiting period LTD - 60% monthly earnings up to \$7,500 after 90 days waiting period | Paid Parental Leave - Up to four consecutive/continuous weeks after other leave balances exhausted; runs concurrently with FMLA STD - \$300-\$6,000 monthly up to 60% of base income for 6-24 months after 7-30 day waiting period | Paid Parental Leave - Up to six weeks STD - 40%-60% weekly earnings up to \$2,000 for 9-22 weeks with 14 day waiting period LTD - 40%-60% of monthly earnings up to \$9,000 with 90-180 days waiting period | Prenatal Leave - Up to 160 hours paid Parental Leave - Up to 320 hours paid Infant Wellness Leave - Up to 40 hours infant wellness hours paid LTD - 180 days waiting period | Paid Parental Leave - Up to six weeks STD - Up to 26 weeks, benefits percentage based on years of service LTD - 40% of salary after 26 weeks | Paid Parental Leave - up to eight weeks STD - 60% of weekly earnings with 14 days waiting period for up to 13 weeks LTD - 60% of monthly earnings up to \$6,000 with 90 days waiting period |
| Other: | | | | | | | |
| Childcare/Adoption/Fostering Employee Assistance Programs | Child Care Assistance Program: up to \$100 weekly for childcare expenses, eligibility based on gross income limits; EAP Services; No adoption/foster assistance program found | Community childcare programs; No employee childcare or adoption/foster assistance program found; EAP services | EAP services; Community childcare programs; No employee childcare or adoption/foster assistance program found | EAP Services; Community childcare programs; No employee childcare or adoption/foster assistance program found | Provides EAP services | Community childcare programs; No employee childcare or adoption/foster assistance program found; EAP services | Community childcare programs; No employee childcare or adoption/foster assistance program found; EAP services |

| 2022 Family Building Benefits | | National Municipalities | | | |
|---|---|---|---|---|---|
| As of Oct 2022 | City of Austin | Harris County (Houston area) | City of Columbus | City of Las Vegas | City of Oklahoma City |
| Website Source | https://www.austintexas.gov/department/active-employee-benefits | https://benefitsathctx.com/health/ | https://www.columbus.gov/hr/Employee-Benefits/ | https://www.lasvegasnevada.gov/Government/Departments/Human-Resources/HR-Resources | https://www.okc.gov/departments/open-enrollment |
| Current Benefits: | | | | | |
| In/Fertility Coverage | Excludes infertility treatment-related services & medications | Basic infertility services: Covers diagnosis and Treatment only, coinsurance after deductible for insemination, fertility drugs excluded | Per SPD, nfertility treatments and medication excluded, including assisted reproductive technology, regardless of the reason for the treatment | Infertility Benefits (HPN plans only) •Limited diagnostic and therapeutic infertility services determined to be Medically Necessary by SHL and Prior Authorized by SHL's Managed Care Program. In order for the Insured to be eligibility for infertility benefits, all of the following criteria must be met. The Insured: =>Is a female under age 44, =>Is not able to become pregnant after the following periods of time of regular unprotected intercourse or therapeutic donor insemination: -One year, is a female under age 35; or -Six months, if a female age 35 or older. =>Has infertility not related to voluntary sterilization or to failed reversal of voluntary sterilization. For the purposes of this benefit, "therapeutic donor insemination" means using a donor sperm sample to enable a female to become pregnant. Covered Services do not include those services specifically excluded in the Exclusions section herein, but do include limited: =>Laboratory studies, =>Diagnostic procedures, =>Artificial insemination services, up to six (6) cycles per Insured per lifetime | United Healthcare plan – Covers basic infertility treatments at 50% per email response; BlueCross BlueShield plan – Does not include infertility treatments |
| Leave of Absence available: | | | | | |
| Leave Type - Outside of federal/state required leave | Paid Parental Leave; must qualify for FMLA, temp employees not eligible; Short Term Disability at no cost and option to purchase Long Term Disability benefits | Paid Parental Leave effective Sep 2022 of 10 weeks; 12 weeks eff 2023; runs concurrently with FMLA Basic Long Term Disability at no cost with option to purchase additional benefit | Paid Family Leave/Paid Parental leave Short Term Disability option | FMLA, may require to use annual and sick leave accrued in conjunction to FMLA Bonding Leave – concurrent to FMLA (and in addition to) up to 6 months following birth or placement of a child. Short Term Disability – For Appointive/Executive EEs up to 90 days of coverage with 100% pay. For other employees, voluntary coverage up to 90 days; concurrent to or in addition to FMLA Long Term Disability Benefits – No cost to EEs; after 90 days; with a qualifying conditions; concurrent to or in addition to FMLA; Sick Leave – 4 hours earned per pay period; may be concurrent to FMLA or in addition to FMLA Vacation Leave – various amounts earned based on classification and years of service; may be concurrent to FMLA or in addition to FMLA Leave without Pay – Once employees have exhausted their leave balances, if they are on approved leave, then they will be considered to be on leave without pay. (May be concurrent to FMLA or in addition to FMLA) Catastrophic Leave – Paid leave for members of collective bargaining groups, this is not administered by the City of Las Vegas but eligible employees may apply for consideration through their respective union. | N/A outside of FMLA Long Term Disability option |
| Leave Duration - Outside of federal/state required leave | Paid Parental Leave - 60-240 hours, based on scheduled workweek; runs in conjunction with FMLA, not required to exhaust other paid leave/time, and must be taken within 12 months of birth/adoption/foster care | 10 weeks eff Sep 2022; 12 weeks eff 2023 Basic LTD - 50% monthly earnings up to \$5,000 with 180 days waiting period Optional LTD - 60% of up to \$6,000 with 90 day waiting period | Paid Family Leave with six weeks of parental leave and four weeks of caregiver leave at 70% percent of pay. (Caregiver is defined as caring for a seriously ill family member); required to utilize 80 hours of sick or vacation leave prior to the family leave benefit kicking in; full time employees as well as those eligible for FMLA; STD - 70-81% of earnings on 12th day of disability, up to 26 weeks | Bonding Leave – Up to 6 months Other types of leave are varied based on employee accruals or an analysis of their situation STD – Up to 90 days LTD – Effective after 90 days FMLA, may require to use annual and sick leave accrued in conjunction to FMLA | N/A LTD - Up to 60% on 181st day of disability |
| Other: | | | | | |
| Childcare/Adoption/Fostering Employee Assistance Programs | Child Care Assistance Program: up to \$100 weekly for childcare expenses, eligibility based on gross income limits; EAP Services; No adoption/foster assistance program found | EAP services | No employee childcare or adoption/foster assistance program found; EAP services | Community programs; No employee childcare or adoption/foster assistance program found City of Las Vegas offers EAP services through Behavioral Health Options. This service includes telephonic consultations for child care centers, resources, etc. in addition to online resources on hundreds of topics including: checklists for choosing child care centers, single parenthood, and effective communications. Additionally, it includes Life Connection to assist with emotional wellness. Side note: While the City of Las Vegas does not provide employee based child care programs, it does provide programs available to members of the community, including: SafeKey, Summer Camps, and educational programming. | No employee childcare or adoption/foster assistance program found |

| 2022 Family Building Benefits | | | | | |
|---|---|--|---|---|--|
| As of Oct 2022 | City of Austin | City of Phoenix | City of San Jose | City of Seattle | Los Angeles County |
| Website Source | https://www.austintexas.gov/department/active-employee-benefits | https://www.phoenix.gov/hr/benefits | https://www.sanjoseca.gov/your-government/departments/human-resources/benefits/medical | https://www.seattle.gov/human-resources/benefits/employees-and-covered-family-members/most-employees-plans Leave website: https://www.seattle.gov/human-resources/benefits/employees-and-covered-family-members/leave-options#employeefamilyandmedicalleaveoptions | https://employee.hr.lacounty.gov/benefits-2/ |
| Current Benefits: | | | | | |
| In/Fertility Coverage | Excludes infertility treatment-related services & medications | Fertility benefits not covered per email response | Diagnosis and treatment of infertility and artificial insemination covered. Coverage includes standard fertility preservation services as a basic healthcare service including but are not limited to, injections, cryopreservation and storage for both male and female members when a medically necessary treatment may cause iatrogenic infertility; HMO Kaiser, HMO, PPO covers, not HSA plan | Up to \$20k lifetime fertility benefit coverage, infertility does not have to be proven so all individuals have similar access | Kaiser Permanente HMO: Covers diagnosis and treatment of infertility and artificial insemination; Does not cover ART services such as IVF, GIFT, ZIFT Cigna Network HMO: diagnosis and treatment of infertility and artificial insemination including OP imaging, lab, IP care; Does not cover ART services such as IVF, GIFT, ZIFT Cigna Select Network HMO: covered if medically necessary lab, radiology, counseling, surgical treatment, artificial insemination; Does not cover IVF, GIFT, ZIFT Cigna Network POS: Covers diagnosis, testing, and medically necessary fertility preservation for iatrogenic infertility; Does not cover all other infertility treatment including IVF, GIFT, ZIFT |
| Leave of Absence available: | | | | | |
| Leave Type - Outside of federal/state required leave | Paid Parental Leave; must qualify for FMLA, temp employees not eligible; Short Term Disability at no cost and option to purchase Long Term Disability benefits | Paid Parental Leave effective 10/11/2022; Long Term Disability option | Paid Parental Leave pilot program as of Sep 2021; Federal and State laws: FMLA, California Family Rights Act (CFRA) of 1993 and the Pregnancy Disability Leave Act (PDL) Long Term Disability option | FML is unpaid leave (complies with FMLA) Paid Parental Leave Paid Family Care Leave Pregnancy Disability Leave is unpaid leave | Federal and State laws: FMLA, California Family Rights Act (CFRA) of 1993, and the Pregnancy Disability Leave Act (PDL); both run concurrently with FMLA (if eligible) May use sick, vacation, holiday, overtime, and compensatory time off (CTO) in conjunction with FMLA/CFRA/PDL Long Term Disability option |
| Leave Duration - Outside of federal/state required leave | Paid Parental Leave - 60-240 hours, based on scheduled workweek; runs in conjunction with FMLA, not required to exhaust other paid leave/time, and must be taken within 12 months of birth/adoption/foster care | 480 hours (12 weeks) of Paid Parental Leave for the birth, adoption, or foster care of a child during a 12-month period effective October 11, 2022. No LTD details | 40 hours of paid parental leave and the use of available sick leave LTD - up to 2/3 gross monthly salary with 30-60 day waiting period | FML - up to 520 hours of unpaid leave (complies with FMLA); Paid Parental Leave - up to 480 hours, pro-rated for part-time employees; Paid Family Care Leave - up to 160 hours to care for an eligible family member; Pregnancy Disability Leave - unpaid leave for actual period of sickness or temporary disability related to pregnancy or childbirth following exhaustion of sick leave and in addition to FMLA entitlement if employee | No additional leaves outside of federal and state requirements |
| Other: | | | | | |
| Childcare/Adoption/Fostering Employee Assistance Programs | Child Care Assistance Program: up to \$100 weekly for childcare expenses, eligibility based on gross income limits; EAP Services; No adoption/foster assistance program found | No employee childcare or adoption/foster assistance program found; EAP Services | Budget Memorandum dated 05/22/2019 on Family Friendly Initiative Child Care requesting more information on opening up a pilot location for child care for city employees. No information found approving this recommendation. No information found on adoption/foster assistance program | Access to Kinside nationwide child care network with up to 20% discounts; EAP services; no adoption/foster assistance programs found | Child care resources links. No employee childcare or adoption/foster assistance program found |