

119TH CONGRESS
1ST SESSION

H. R. 4855

To improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to certain members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2025

Mr. LARSEN of Washington (for himself, Ms. DELBENE, Ms. SÁNCHEZ, Mr. LARSON of Connecticut, Ms. HOULAHAN, Mr. MOULTON, Ms. STRICKLAND, Ms. ROSS, Mr. MAGAZINER, Mr. GOTTHEIMER, Mr. KRISHNAMOORTHY, Ms. TITUS, and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to certain members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Veteran Families Health Services Act of 2025”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—REPRODUCTIVE AND FERTILITY PRESERVATION
ASSISTANCE FOR MEMBERS OF THE ARMED FORCES**

Sec. 101. Definitions.

Sec. 102. Provision of fertility treatment and counseling to members of the
Armed Forces and spouses, partners, and gestational surro-
gates of such members.

Sec. 103. Establishment of fertility preservation procedures after an injury or
illness.

Sec. 104. Cryopreservation and storage of reproductive genetic material of
members of the Armed Forces on active duty.

Sec. 105. Assistance with and continuity of care regarding reproductive and
fertility preservation services.

Sec. 106. Coordination between Department of Defense and Department of
Veterans Affairs on furnishing of fertility treatment and coun-
seling.

Sec. 107. Regulations.

**TITLE II—REPRODUCTIVE AND ADOPTION ASSISTANCE FOR
VETERANS**

Sec. 201. Inclusion of fertility treatment and counseling under definition of
medical services.

Sec. 202. Fertility treatment and counseling for certain veterans and spouses,
partners, and gestational surrogates of such veterans.

Sec. 203. Adoption assistance for certain veterans.

Sec. 204. Assistance with and continuity of care regarding reproductive and
fertility preservation services.

Sec. 205. Facilitation of reproduction and infertility research.

Sec. 206. Regulations on furnishing of fertility treatment and counseling and
adoption assistance by Department of Veterans Affairs.

1 **TITLE I—REPRODUCTIVE AND**
2 **FERTILITY PRESERVATION**
3 **ASSISTANCE FOR MEMBERS**
4 **OF THE ARMED FORCES**

5 **SEC. 101. DEFINITIONS.**

6 In this title:

7 (1) **ACTIVE DUTY.**—The term “active duty” has
8 the meaning given that term in section 101(d)(1) of
9 title 10, United States Code.

10 (2) **ARMED FORCES.**—The term “Armed
11 Forces” has the meaning given the term “armed
12 forces” in section 101(a)(4) of such title.

13 **SEC. 102. PROVISION OF FERTILITY TREATMENT AND**
14 **COUNSELING TO MEMBERS OF THE ARMED**
15 **FORCES AND SPOUSES, PARTNERS, AND GES-**
16 **TATIONAL SURROGATES OF SUCH MEMBERS.**

17 (a) **FERTILITY TREATMENT AND COUNSELING.**—

18 (1) **IN GENERAL.**—The Secretary of Defense
19 shall make available fertility treatment and coun-
20 seling to a member of the Armed Forces or a
21 spouse, partner, or gestational surrogate of such a
22 member.

23 (2) **ELIGIBILITY FOR TREATMENT AND COUN-**
24 **SELING.**—Fertility treatment and counseling shall be
25 furnished under paragraph (1) without regard to the

1 sex, sex characteristics, gender identity, sexual ori-
2 entation, infertility diagnosis, or marital status of
3 the member of the Armed Forces or their spouse or
4 partner.

5 (3) IN VITRO FERTILIZATION.—In the case of
6 in vitro fertilization treatment furnished under para-
7 graph (1), the Secretary may furnish to an indi-
8 vidual under such paragraph—

9 (A) not more than three completed oocyte
10 retrievals; and

11 (B) unlimited embryo transfers.

12 (b) PROCUREMENT OF REPRODUCTIVE GENETIC MA-
13 TERIAL.—If a member of the Armed Forces is unable to
14 provide their reproductive genetic material, such as oo-
15 cytes, sperm, or embryos, for purposes of fertility treat-
16 ment under subsection (a), the Secretary shall, at the elec-
17 tion of such member, allow such member to receive such
18 treatment with donated reproductive genetic material and
19 pay or reimburse such member the reasonable costs of pro-
20 curing such material from a donor.

21 (c) RULES OF CONSTRUCTION.—

22 (1) IMPACT ON EXISTING AUTHORITY.—Noth-
23 ing in this section shall be construed to rescind the
24 authority of the Secretary to provide in vitro fer-

1 tilization benefits pursuant to section 1074(c)(4) of
2 title 10, United States Code.

3 (2) SOURCING OF GESTATIONAL SURROGATE OR
4 REPRODUCTIVE GENETIC MATERIAL.—Nothing in
5 this section shall be construed to require the Sec-
6 retary—

7 (A) to find or certify a gestational surro-
8 gate for a member of the Armed Forces or to
9 connect a gestational surrogate with such a
10 member; or

11 (B) to find or certify reproductive genetic
12 material, such as oocytes, sperm, or embryos,
13 from a donor for a member of the Armed
14 Forces or to connect such a member with repro-
15 ductive genetic material from a donor.

16 (d) DEFINITIONS.—In this section:

17 (1) FERTILITY TREATMENT.—The term “fer-
18 tility treatment” includes the following:

19 (A) Preservation of human oocytes, sperm,
20 or embryos.

21 (B) Artificial insemination, including
22 intravaginal insemination, intracervical insemi-
23 nation, and intrauterine insemination.

24 (C) Assisted reproductive technology, in-
25 cluding in vitro fertilization and other treat-

1 ments or procedures in which reproductive ge-
2 netic material, such as oocytes, sperm, or em-
3 bryos, are handled, when clinically appropriate.

4 (D) Genetic testing of embryos.

5 (E) Medications prescribed or obtained
6 over-the-counter, as indicated for fertility.

7 (F) Gamete donation.

8 (G) Such other information, referrals,
9 treatments, procedures, medications, laboratory
10 testing, technologies, and services relating to
11 fertility as the Secretary of Defense determines
12 appropriate.

13 (2) GESTATIONAL SURROGATE.—The term
14 “gestational surrogate” means an adult, who is not
15 the intended parent, who enters into a surrogacy
16 agreement to become pregnant through in vitro fer-
17 tilization using gametes that are not the gametes of
18 that individual.

19 (3) PARTNER.—The term “partner”, with re-
20 spect to a member of the Armed Forces, means an
21 individual selected by the member who agrees to be
22 a parent, with the member, of a child born as a re-
23 sult of the use of any fertility treatment under this
24 section.

1 **SEC. 103. ESTABLISHMENT OF FERTILITY PRESERVATION**

2 **PROCEDURES AFTER AN INJURY OR ILLNESS.**

3 (a) IN GENERAL.—The Secretary of Defense, acting
4 through the Assistant Secretary of Defense for Health Af-
5 fairs, shall establish procedures for the retrieval of repro-
6 ductive genetic material, such as sperm or oocytes, as soon
7 as medically appropriate, from a member of the Armed
8 Forces in cases in which the fertility of such member is
9 potentially jeopardized as a result of an injury or illness
10 incurred or aggravated while serving on active duty in the
11 Armed Forces in order to preserve the medical options of
12 such member.

13 (b) INCLUSION OF INFORMATION IN ADVANCED DI-
14 RECTIVES AND MILITARY TESTAMENTARY INSTRU-
15 MENTS.—The Secretary of Defense shall ensure that any
16 advance medical directive, as defined in section 1044c(b)
17 of title 10, United States Code, or military testamentary
18 instrument, as defined in section 1044d(b) of such title,
19 completed by a member of the Armed Forces includes
20 questions about the consent of the member to fertility
21 preservation procedures under subsection (a) and about
22 rights, ownership, and use of reproductive genetic mate-
23 rial.

1 **SEC. 104. CRYOPRESERVATION AND STORAGE OF REPRO-**
2 **DUCTIVE GENETIC MATERIAL OF MEMBERS**
3 **OF THE ARMED FORCES ON ACTIVE DUTY.**

4 (a) IN GENERAL.—The Secretary of Defense shall
5 provide members of the Armed Forces on active duty with
6 the opportunity for retrieval, testing, cryopreservation,
7 shipping, and storage of their reproductive genetic mate-
8 rial, such as sperm or oocytes, prior to—

9 (1) deployment to a combat zone; or

10 (2) a duty assignment that includes a haz-
11 ardous assignment, including—

12 (A) assignments resulting in exposure to
13 perfluoroalkyl or polyfluoroalkyl substances;
14 and

15 (B) such other assignments as determined
16 by the Secretary.

17 (b) PERIOD OF TIME.—

18 (1) IN GENERAL.—The Secretary shall provide
19 for the retrieval, testing, cryopreservation, shipping,
20 and storage of reproductive genetic material of any
21 member of the Armed Forces under subsection (a),
22 at no cost to the member, until the date that is one
23 year after the retirement, separation, or release of
24 the member from the Armed Forces.

25 (2) CONTINUED CRYOPRESERVATION AND
26 STORAGE.—At the end of the one-year period speci-

1 fied in paragraph (1), the Secretary shall permit an
2 individual whose reproductive genetic material was
3 cryopreserved and stored as described in that para-
4 graph to select, including pursuant to an advance
5 medical directive or military testamentary instru-
6 ment completed under subsection (c), one of the fol-
7 lowing options:

8 (A) To continue such cryopreservation and
9 storage in such facility with the cost of such
10 cryopreservation and storage borne by the indi-
11 vidual.

12 (B) To transfer the material to a private
13 cryopreservation and storage facility selected by
14 the individual.

15 (c) ADVANCE MEDICAL DIRECTIVE AND MILITARY
16 TESTAMENTARY INSTRUMENT.—A member of the Armed
17 Forces who elects to cryopreserve and store their repro-
18 ductive genetic material under this section must complete
19 an advance medical directive, as defined in section
20 1044c(b) of title 10, United States Code, and a military
21 testamentary instrument, as defined in section 1044d(b)
22 of such title, that explicitly specifies the use of their
23 cryopreserved and stored reproductive genetic material if
24 such member dies or otherwise loses the capacity to con-

1 sent to the use of their cryopreserved and stored reproduc-
2 tive genetic material.

3 **SEC. 105. ASSISTANCE WITH AND CONTINUITY OF CARE RE-**
4 **GARDING REPRODUCTIVE AND FERTILITY**
5 **PRESERVATION SERVICES.**

6 The Secretary of Defense shall ensure that employees
7 of the Department of Defense assist members of the
8 Armed Forces—

9 (1) in navigating the services provided under
10 this title;

11 (2) in finding a provider that meets the needs
12 of such members with respect to such services; and

13 (3) in continuing the receipt of such services
14 without interruption during a permanent change of
15 station for such members.

16 **SEC. 106. COORDINATION BETWEEN DEPARTMENT OF DE-**
17 **FENSE AND DEPARTMENT OF VETERANS AF-**
18 **FAIRS ON FURNISHING OF FERTILITY TREAT-**
19 **MENT AND COUNSELING.**

20 (a) IN GENERAL.—The Secretary of Defense and the
21 Secretary of Veterans Affairs shall share best practices
22 and facilitate referrals, as they consider appropriate, on
23 the furnishing of fertility treatment and counseling to in-
24 dividuals eligible for the receipt of such counseling and
25 treatment from each such Secretary.

1 (b) MEMORANDUM OF UNDERSTANDING.—The Sec-
2 retary of Defense and the Secretary of Veterans Affairs
3 shall enter into a memorandum of understanding—

4 (1) regarding coordination of fertility preserva-
5 tion care and continuation of coverage, without
6 interruption, for a member of the Armed Forces who
7 is transitioning to veteran status; and

8 (2) authorizing the Department of Veterans Af-
9 fairs to compensate the Department of Defense for
10 the cryopreservation, transportation, and storage of
11 reproductive genetic material of veterans under sec-
12 tion 104(b)(2)(A).

13 **SEC. 107. REGULATIONS.**

14 Not later than two years after the date of the enact-
15 ment of this Act, the Secretary of Defense shall prescribe
16 regulations to carry out this title.

17 **TITLE II—REPRODUCTIVE AND**
18 **ADOPTION ASSISTANCE FOR**
19 **VETERANS**

20 **SEC. 201. INCLUSION OF FERTILITY TREATMENT AND**
21 **COUNSELING UNDER DEFINITION OF MED-**
22 **ICAL SERVICES.**

23 Section 1701(6) of title 38, United States Code, is
24 amended by adding at the end the following new subpara-
25 graph:

1 “(J) Fertility treatment and counseling
2 under section 1720M of this title.”.

3 **SEC. 202. FERTILITY TREATMENT AND COUNSELING FOR**
4 **CERTAIN VETERANS AND SPOUSES, PART-**
5 **NERS, AND GESTATIONAL SURROGATES OF**
6 **SUCH VETERANS.**

7 (a) IN GENERAL.—Subchapter II of chapter 17 of
8 title 38, United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 1720M. Fertility treatment and counseling for cer-**
11 **tain veterans and spouses, partners, and**
12 **gestational surrogates of such veterans**

13 “(a) REQUIREMENT.—

14 “(1) IN GENERAL.—Notwithstanding any other
15 provision of law, including the surrogacy laws of any
16 State, the Secretary shall furnish fertility treatment
17 and counseling for the benefit of a covered veteran
18 to the veteran and the spouse, partner, gamete
19 donor, or gestational surrogate of the veteran if the
20 veteran, and the spouse, partner, gamete donor, or
21 gestational surrogate of the veteran, as applicable,
22 each provide informed consent for such treatment
23 and counseling, including for each cycle of treatment
24 authorized under this section, through a process pre-
25 scribed by the Secretary.

1 “(2) PROVISION OF TREATMENT AND COUN-
2 SELING.—Fertility treatment and counseling shall be
3 furnished under paragraph (1) without regard to the
4 sex, sexual characteristics, gender identity, sexual
5 orientation, infertility diagnosis, or marital status of
6 the covered veteran or their spouse or partner.

7 “(3) IN VITRO FERTILIZATION.—In the case of
8 in vitro fertilization treatment furnished under para-
9 graph (1), the Secretary may furnish to an indi-
10 vidual under such paragraph—

11 “(A) not more than three completed oocyte
12 retrievals; and

13 “(B) unlimited embryo transfers.

14 “(4) COPAYMENT.—The Secretary shall only
15 furnish fertility treatment and counseling under
16 paragraph (1) to a covered veteran who is required
17 to pay to the United States a copayment amount as
18 a condition for the receipt of hospital care, medical
19 services, or medications under this chapter if the
20 covered veteran agrees to pay such applicable copay-
21 ment amount to the United States for such treat-
22 ment and counseling.

23 “(b) PROCUREMENT OF REPRODUCTIVE GENETIC
24 MATERIAL.—

1 “(1) IN GENERAL.—If a covered veteran is un-
2 able to provide their reproductive genetic material
3 for purposes of fertility treatment under subsection
4 (a), the Secretary shall, at the election of such vet-
5 eran—

6 “(A) allow such veteran to receive such
7 treatment with donated reproductive genetic
8 material, if the donor provides informed consent
9 for use of such material; and

10 “(B) pay or reimburse the veteran, donor,
11 or a party acting on behalf of the donor the
12 reasonable costs of procuring such material
13 from the donor.

14 “(2) OTHER EXPENSES.—The Secretary may
15 pay or reimburse a covered veteran a reasonable
16 amount for personal travel and incidental expenses
17 associated with procuring material from a donor
18 under paragraph (1).

19 “(c) OUTREACH AND TRAINING.—The Secretary
20 shall carry out an outreach and training program to en-
21 sure veterans and health care providers of the Department
22 are aware of—

23 “(1) the availability of and eligibility require-
24 ments for fertility treatment and counseling under
25 this section; and

1 “(2) any changes to fertility treatment and
2 counseling covered under this section.

3 “(d) OWNERSHIP, USE, OR DISPOSITION OF REPRO-
4 DUCTIVE GENETIC MATERIAL.—

5 “(1) IN GENERAL.—Issues or disputes regard-
6 ing ownership of reproductive genetic material or fu-
7 ture use or disposition of such material shall be the
8 sole responsibility of the covered veteran and the
9 spouse, partner, or gestational surrogate of the vet-
10 eran, as applicable, and the private facility storing
11 such material.

12 “(2) ROLE OF DEPARTMENT.—The role of the
13 Secretary under this section is limited to furnishing
14 the treatment and counseling required under this
15 section when requested by a covered veteran and de-
16 termined necessary by the Secretary.

17 “(3) OWNERSHIP AND CUSTODY OF REPRODUC-
18 TIVE GENETIC MATERIAL.—The Secretary will not
19 have ownership or custody of any reproductive ge-
20 netic material obtained pursuant to treatment under
21 this section and will not be involved in the ultimate
22 disposition of such material or disputes between or
23 among any parties with respect to such material.

24 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion shall be construed to require the Secretary—

1 “(1) to find or certify a gestational surrogate
2 for a covered veteran or to connect a gestational sur-
3 rogate with a covered veteran; or

4 “(2) to furnish maternity care to a covered vet-
5 eran or spouse, partner, or gestational surrogate of
6 a covered veteran beyond what is otherwise required
7 or authorized by law.

8 “(f) DEFINITIONS.—In this section:

9 “(1) The term ‘covered veteran’ means a vet-
10 eran who is enrolled in the system of annual patient
11 enrollment established under section 1705(a) of this
12 title.

13 “(2) The term ‘fertility treatment’ includes the
14 following:

15 “(A) Preservation of human oocytes,
16 sperm, or embryos.

17 “(B) Artificial insemination, including
18 intravaginal insemination, intracervical insemi-
19 nation, and intrauterine insemination.

20 “(C) Assisted reproductive technology, in-
21 cluding in vitro fertilization and other treat-
22 ments or procedures in which reproductive ge-
23 netic material, such as oocytes, sperm, or em-
24 bryos, are handled, when clinically appropriate.

25 “(D) Genetic testing of embryos.

1 “(E) Medications prescribed or obtained
2 over-the-counter, as indicated for fertility.

3 “(F) Gamete donation.

4 “(G) Such other information, referrals,
5 treatments, procedures, medications, laboratory
6 testing, technologies, and services relating to
7 fertility as the Secretary determines appro-
8 priate.

9 “(3) The term ‘gestational surrogate’ means an
10 adult, who is not the intended parent, who enters
11 into a surrogacy agreement to become pregnant
12 through in vitro fertilization using gametes that are
13 not the gametes of that individual.

14 “(4) The term ‘partner’, with respect to a cov-
15 ered veteran, means an individual selected by the
16 veteran who agrees to be a parent, with the veteran,
17 of a child born as a result of the use of any fertility
18 treatment under this section.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 17 of such title is amended
21 by inserting after the item relating to section 1720L the
22 following new item:

 “1720M. Fertility treatment and counseling for certain veterans and spouses,
 partners, and gestational surrogates of such veterans.”.

23 (c) SUNSET OF EXISTING AUTHORITY.—The author-
24 ity under section 234 of the Military Construction, Vet-

1 erans Affairs, and Related Agencies Appropriations Act,
2 2024 (division A of Public Law 118–42), or any similar
3 authority subsequently enacted by law, shall cease on the
4 effective date of regulations prescribed to carry out section
5 1720M of title 38, United States Code, as added by sub-
6 section (a).

7 **SEC. 203. ADOPTION ASSISTANCE FOR CERTAIN VETERANS.**

8 (a) IN GENERAL.—Subchapter VIII of chapter 17 of
9 title 38, United States Code, is amended by adding at the
10 end the following new section:

11 **“§ 1790. Adoption assistance**

12 “(a) IN GENERAL.—The Secretary may pay an
13 amount, not to exceed the limitation amount, to assist a
14 covered veteran in the adoption of one or more children,
15 without regard to the sex, gender identity, sexual orienta-
16 tion, or marital status of the covered veteran.

17 “(b) LIMITATION AMOUNT.—For purposes of this
18 section, the limitation amount is the amount equal to the
19 cost the Department would incur by paying the expenses
20 of not more than three adoptions by covered veterans, as
21 determined by the Secretary.

22 “(c) COVERED VETERAN DEFINED.—In this section,
23 the term ‘covered veteran’ has the meaning given that
24 term in section 1720M(f) of this title.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 17 of such title is amended
3 by inserting after the item relating to section 1789 the
4 following new item:

“1790. Adoption assistance.”.

5 **SEC. 204. ASSISTANCE WITH AND CONTINUITY OF CARE RE-**
6 **GARDING REPRODUCTIVE AND FERTILITY**
7 **PRESERVATION SERVICES.**

8 The Secretary of Veterans Affairs shall ensure that
9 employees of the Department of Veterans Affairs assist
10 veterans—

11 (1) in navigating the services provided under
12 this title and the amendments made by this title;

13 (2) in finding a provider that meets the needs
14 of such veterans with respect to such services; and

15 (3) in continuing the receipt of such services
16 without interruption if such veterans move to a dif-
17 ferent geographic location.

18 **SEC. 205. FACILITATION OF REPRODUCTION AND INFER-**
19 **TILITY RESEARCH.**

20 (a) IN GENERAL.—Subchapter II of chapter 73 of
21 title 38, United States Code, is amended by adding at the
22 end the following new section:

1 **“§ 7330E. Facilitation of reproduction and infertility**
2 **research**

3 “(a) FACILITATION OF RESEARCH REQUIRED.—The
4 Secretary shall facilitate research conducted collabo-
5 ratively by the Secretary of Defense and the Secretary of
6 Health and Human Services to improve the ability of the
7 Department of Veterans Affairs to meet the long-term re-
8 productive health care needs of veterans who have a condi-
9 tion that affects the ability of the individual to reproduce.

10 “(b) DISSEMINATION OF INFORMATION.—The Sec-
11 retary shall ensure that information produced by the re-
12 search facilitated under this section that may be useful
13 for other activities of the Veterans Health Administration
14 is disseminated throughout the Veterans Health Adminis-
15 tration.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 73 of such title is amended
18 by inserting after the item relating to section 7330D the
19 following new item:

“7330E. Facilitation of reproduction and infertility research.”.

1 **SEC. 206. REGULATIONS ON FURNISHING OF FERTILITY**
2 **TREATMENT AND COUNSELING AND ADOPT-**
3 **ION ASSISTANCE BY DEPARTMENT OF VET-**
4 **ERANS AFFAIRS.**

5 Not later than two years after the date of the enact-
6 ment of this Act, the Secretary of Veterans Affairs shall
7 prescribe regulations—

8 (1) to carry out section 1720M of title 38,
9 United States Code, as added by section 202(a); and

10 (2) to carry out section 1790 of such title, as
11 added by section 203(a).

○