

119TH CONGRESS
1ST SESSION

H. R. 5635

To amend title 38, United States Code, to prohibit discrimination on the basis of gender identity in connection with the furnishing of health care under laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2025

Mr. KENNEDY of New York (for himself, Mr. TAKANO, Ms. NORTON, Ms. BALINT, Mrs. RAMIREZ, Ms. ANSARI, Ms. VELÁZQUEZ, Ms. TLAIB, Mr. TONKO, Mr. KRISHNAMOORTHY, Ms. WILLIAMS of Georgia, Mr. WALKINSHAW, Ms. BROWNLEY, Ms. OCASIO-CORTEZ, Ms. CHU, Ms. CRAIG, and Mr. THANEDAR) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to prohibit discrimination on the basis of gender identity in connection with the furnishing of health care under laws administered by the Secretary of Veterans Affairs, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Healthcare
5 Equality Act of 2025”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Transgender veterans have served our coun-
4 try with honor and deserve to receive the health ben-
5 efits such veterans are entitled to free from discrimi-
6 nation, including free from intentional and repeated
7 misgendering.

8 (2) Treatments for gender dysphoria are medi-
9 cally necessary and supported by every major U.S.
10 medical association.

11 (3) Prohibitions on sex discrimination, includ-
12 ing in Section 1557 of the Patient Protection and
13 Affordable Care Act (42 U.S.C. 10822(b)), prohibit
14 discrimination on the basis of gender identity.

15 (4) Despite these protections, the Department
16 of Veterans Affairs has taken steps to discriminate
17 against transgender veterans in the provision of
18 health care, including by the rescission of the trans-
19 mittal sheet of the Veterans Health Administration
20 published on May 23, 2018, titled “Providing Health
21 Care for Transgender and Intersex Veterans” (VHA
22 Directive 1341(4)) and phasing out treatments for
23 gender dysphoria.

24 (5) Explicit nondiscrimination protections for
25 transgender veterans in healthcare services will en-
26 sure the Department fulfills its legal obligation to

1 provide health care services, including treatments for
2 gender dysphoria, free from discrimination.

3 **SEC. 3. PROHIBITION AGAINST DISCRIMINATION ON THE**
4 **BASIS OF GENDER IDENTITY IN CONNECTION**
5 **WITH FURNISHING OF HEALTH CARE UNDER**
6 **LAWS ADMINISTERED BY THE SECRETARY OF**
7 **VETERANS AFFAIRS.**

8 (a) IN GENERAL.—Subchapter I of chapter 17 of title
9 38, United States Code is amended by adding at the end
10 the following new section (and conforming the table of
11 contents at the beginning of such chapter accordingly):

12 **“§ 1709D. Prohibition against discrimination on the**
13 **basis of gender identity**

14 “(a) IN GENERAL.—In carrying out this chapter, the
15 Secretary of Veterans Affairs—

16 “(1) may not—

17 “(A) discriminate on the basis of gender
18 identity; or

19 “(B) deny a person a medically-necessary
20 treatment for gender dysphoria prescribed to
21 the individual by a health care provider; and

22 “(2) shall ensure that no person is discrimi-
23 nated against on such basis in connection with the
24 furnishing of hospital care, medical services, or ex-
25 tended care services under this chapter.

1 “(b) QUARTERLY BRIEFINGS.—Not later than 90
2 days after the date of the enactment of the Veterans
3 Healthcare Equality Act of 2025, and not less frequently
4 than on a quarterly basis thereafter, the Secretary shall
5 provide to the Committees on Veterans’ Affairs of the
6 House of Representatives and the Senate a briefing with
7 respect to the furnishing of hospital care, medical services,
8 and extended care services under this chapter to
9 transgender veterans during the period covered by the
10 briefing.”.

11 (b) BRIEFING REQUIRED.—Not later than 90 days
12 after the date of the enactment of this Act, the Secretary
13 of Veterans Affairs shall provide to the Committees on
14 Veterans’ Affairs of the House of Representatives and the
15 Senate a briefing with respect to the implementation by
16 the Secretary of the amendment made by subsection (a).

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