

116TH CONGRESS  
1ST SESSION

# H. R. 955

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2019

Mr. LARSEN of Washington (for himself, Ms. JACKSON LEE, Mr. RUSH, Mr. HECK, Mr. RYAN, Mr. DEFazio, Mr. KILMER, Ms. BLUNT ROCHESTER, Mr. SEAN PATRICK MALONEY of New York, and Mr. HIMES) 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

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## A BILL

To improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured 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 “Women Veterans and Families Health Services Act of  
 4 2019”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for  
 6 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. Provision of fertility treatment and counseling to certain members of  
 the Armed Forces and spouses, partners, and gestational sur-  
 rogates of such members.

Sec. 102. Establishment of fertility preservation procedures after an injury or  
 illness.

Sec. 103. Cryopreservation and storage of gametes of members of the Armed  
 Forces on active duty.

Sec. 104. Coordination between Department of Defense and Department of  
 Veterans Affairs on furnishing of fertility treatment and coun-  
 seling.

**TITLE II—REPRODUCTIVE, ADOPTION, AND CHILD CARE  
 ASSISTANCE FOR VETERANS**

Sec. 201. Inclusion of fertility treatment and counseling under the definition of  
 medical services in title 38.

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

Sec. 203. Adoption assistance for severely wounded veterans.

Sec. 204. Annual report on fertility treatment and counseling furnished by De-  
 partment of Veterans Affairs.

Sec. 205. Regulations on furnishing of fertility treatment and counseling and  
 adoption assistance by Department of Veterans Affairs.

Sec. 206. Facilitation of reproduction and infertility research.

Sec. 207. Requirement to improve Department of Veterans Affairs women vet-  
 erans contact center.

Sec. 208. Modification of pilot program on counseling in retreat settings for  
 women veterans newly separated from service in the Armed  
 Forces.

Sec. 209. Program on assistance for child care for certain veterans.

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

5 **SEC. 101. PROVISION OF FERTILITY TREATMENT AND**  
6 **COUNSELING TO CERTAIN MEMBERS OF THE**  
7 **ARMED FORCES AND SPOUSES, PARTNERS,**  
8 **AND GESTATIONAL SURROGATES OF SUCH**  
9 **MEMBERS.**

10 (a) FERTILITY TREATMENT AND COUNSELING.—

11 (1) IN GENERAL.—The Secretary of Defense  
12 shall furnish fertility treatment and counseling, in-  
13 cluding through the use of assisted reproductive  
14 technology, to a covered member of the Armed  
15 Forces or a spouse, partner, or gestational surrogate  
16 of such a member.

17 (2) ELIGIBILITY FOR TREATMENT AND COUN-  
18 SELING.—Fertility treatment and counseling shall be  
19 furnished under paragraph (1) without regard to the  
20 sex or marital status of the covered member of the  
21 Armed Forces.

22 (3) IN VITRO FERTILIZATION.—In the case of  
23 in vitro fertilization treatment furnished under para-  
24 graph (1), the Secretary may furnish not more than  
25 three completed cycles or six attempted cycles of in

1 vitro fertilization, whichever occurs first, to an indi-  
2 vidual under such paragraph.

3 (b) PROCUREMENT OF GAMETES.—If a covered  
4 member of the Armed Forces is unable to provide their  
5 gametes for purposes of fertility treatment under sub-  
6 section (a), the Secretary shall, at the election of such  
7 member, allow such member to receive such treatment  
8 with donated gametes and pay or reimburse such member  
9 the reasonable costs of procuring gametes from a donor.

10 (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
11 tion shall be construed to require the Secretary—

12 (1) to find or certify a gestational surrogate for  
13 a covered member of the Armed Forces or to con-  
14 nect a gestational surrogate with such a member; or

15 (2) to find or certify gametes from a donor for  
16 a covered member of the Armed Forces or to con-  
17 nect such a member with gametes from a donor.

18 (d) DEFINITIONS.—In this section:

19 (1) ASSISTED REPRODUCTIVE TECHNOLOGY.—  
20 The term “assisted reproductive technology” in-  
21 cludes in vitro fertilization and other fertility treat-  
22 ments in which both eggs and sperm are handled  
23 when clinically appropriate.

24 (2) COVERED MEMBER OF THE ARMED  
25 FORCES.—The term “covered member of the Armed

1 Forces” means a severely wounded, ill, or injured  
2 member of the Armed Forces who has an infertility  
3 condition incurred or aggravated while serving on  
4 active duty in the Armed Forces.

5 (3) FERTILITY TREATMENT.—The term “fer-  
6 tility treatment” includes the following:

7 (A) Procedures that use assisted reproduc-  
8 tive technology.

9 (B) Sperm retrieval.

10 (C) Egg retrieval.

11 (D) Artificial insemination.

12 (E) Embryo transfer.

13 (F) Such other treatments as the Sec-  
14 retary of Defense considers appropriate.

15 (4) PARTNER.—The term “partner”, with re-  
16 spect to a member of the Armed Forces, means an  
17 individual selected by the member who agrees to  
18 share with the member the parental responsibilities  
19 with respect to any child born as a result of the use  
20 of any fertility treatment under this section.

21 **SEC. 102. ESTABLISHMENT OF FERTILITY PRESERVATION**

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

23 (a) IN GENERAL.—The Secretary of Defense, acting  
24 through the Assistant Secretary of Defense for Health Af-  
25 fairs, shall establish procedures for the retrieval of

1 gametes, as soon as medically appropriate, from a member  
2 of the Armed Forces in cases in which the fertility of such  
3 member is potentially jeopardized as a result of an injury  
4 or illness incurred or aggravated while serving on active  
5 duty in the Armed Forces in order to preserve the medical  
6 options of such member.

7 (b) CONSENT FOR RETRIEVAL OF GAMETES.—  
8 Gametes may be retrieved from a member of the Armed  
9 Forces under subsection (a) only—

10 (1) with the specific consent of the member; or

11 (2) if the member is unable to consent, if a  
12 medical professional determines that—

13 (A) the future fertility of the member is  
14 potentially jeopardized as a result of an injury  
15 or illness described in subsection (a) or will be  
16 potentially jeopardized as a result of treating  
17 such injury or illness;

18 (B) the member lacks the capacity to con-  
19 sent to the retrieval of gametes and is likely to  
20 regain such capacity; and

21 (C) the retrieval of gametes under this sec-  
22 tion is in the medical interest of the member.

23 (c) CONSENT FOR USE OF RETRIEVED GAMETES.—  
24 Gametes retrieved from a member of the Armed Forces  
25 under subsection (a) may be used only—

1 (1) with the specific consent of the member; or

2 (2) if the member has lost the ability to consent  
3 permanently, as determined by a medical profes-  
4 sional, as specified in an advance directive or testa-  
5 mentary instrument executed by the member.

6 (d) DISPOSAL OF GAMETES.—In accordance with  
7 regulations prescribed by the Secretary for purpose of this  
8 subsection, the Secretary shall dispose of gametes re-  
9 trieved from a member of the Armed Forces under sub-  
10 section (a)—

11 (1) with the specific consent of the member; or

12 (2) if the member—

13 (A) has lost the ability to consent perma-  
14 nently, as determined by a medical professional;  
15 and

16 (B) has not specified the use of their  
17 gametes in an advance directive or testa-  
18 mentary instrument executed by the member.

19 **SEC. 103. CRYOPRESERVATION AND STORAGE OF GAMETES**  
20 **OF MEMBERS OF THE ARMED FORCES ON AC-**  
21 **TIVE DUTY.**

22 (a) IN GENERAL.—The Secretary of Defense shall  
23 provide members of the Armed Forces on active duty in  
24 the Armed Forces with the opportunity to cryopreserve

1 and store their gametes prior to deployment to a combat  
2 zone.

3 (b) PERIOD OF TIME.—

4 (1) IN GENERAL.—The Secretary shall provide  
5 for the cryopreservation and storage of gametes of  
6 any member of the Armed Forces under subsection  
7 (a), at no cost to the member, in a facility of the  
8 Department of Defense or of a private entity pursu-  
9 ant to a contract under subsection (d) until the date  
10 that is one year after the retirement, separation, or  
11 release of the member from the Armed Forces.

12 (2) CONTINUED CRYOPRESERVATION AND  
13 STORAGE.—At the end of the one-year period speci-  
14 fied in paragraph (1), the Secretary shall permit an  
15 individual whose gametes were cryopreserved and  
16 stored in a facility of the Department as described  
17 in that paragraph to select, including pursuant to an  
18 advance medical directive or military testamentary  
19 instrument completed under subsection (c), one of  
20 the following options:

21 (A) To continue such cryopreservation and  
22 storage in such facility with the cost of such  
23 cryopreservation and storage borne by the indi-  
24 vidual.



1           (B) To transfer the gametes to a private  
2 cryopreservation and storage facility selected by  
3 the individual.

4           (C) To transfer the gametes to a facility of  
5 the Department of Veterans Affairs if  
6 cryopreservation and storage is available to the  
7 individual at such facility.

8           (3) DISPOSAL OF GAMETES.—If an individual  
9 described in paragraph (2) does not make a selection  
10 under subparagraph (A), (B), or (C) of such para-  
11 graph, the Secretary may dispose of the gametes of  
12 the individual not earlier than the date that is 90  
13 days after the end of the one-year period specified  
14 in paragraph (1) with respect to 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 gametes  
18 under this section must complete an advance medical di-  
19 rective, as defined in section 1044c(b) of title 10, United  
20 States Code, and a military testamentary instrument, as  
21 defined in section 1044d(b) of such title, that explicitly  
22 specifies the use of their cryopreserved and stored gametes  
23 if such member dies or otherwise loses the capacity to con-  
24 sent to the use of their cryopreserved and stored gametes.

1 (d) AGREEMENTS.—To carry out this section, the  
2 Secretary may enter into agreements with private entities  
3 that provide cryopreservation and storage services for  
4 gametes.

5 **SEC. 104. COORDINATION BETWEEN DEPARTMENT OF DE-**  
6 **FENSE AND DEPARTMENT OF VETERANS AF-**  
7 **FAIRS ON FURNISHING OF FERTILITY TREAT-**  
8 **MENT AND COUNSELING.**

9 (a) IN GENERAL.—The Secretary of Defense and the  
10 Secretary of Veterans Affairs shall share best practices  
11 and facilitate referrals, as they consider appropriate, on  
12 the furnishing of fertility treatment and counseling to in-  
13 dividuals eligible for the receipt of such counseling and  
14 treatment from the Secretaries.

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

18 (1) providing that the Secretary of Defense will  
19 ensure access by the Secretary of Veterans Affairs  
20 to gametes of veterans stored by the Department of  
21 Defense for purposes of furnishing fertility treat-  
22 ment under section 1720J of title 38, United States  
23 Code, as added by section 202; and

24 (2) authorizing the Department of Veterans Af-  
25 fairs to compensate the Department of Defense for

1 the cryopreservation and storage of gametes of vet-  
2 erans under section 103.

3 **TITLE II—REPRODUCTIVE,**  
4 **ADOPTION, AND CHILD CARE**  
5 **ASSISTANCE FOR VETERANS**

6 **SEC. 201. INCLUSION OF FERTILITY TREATMENT AND**  
7 **COUNSELING UNDER THE DEFINITION OF**  
8 **MEDICAL SERVICES IN TITLE 38.**

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

12 “(I) Fertility treatment and counseling, in-  
13 cluding treatment using assisted reproductive  
14 technology.”.

15 **SEC. 202. FERTILITY TREATMENT AND COUNSELING FOR**  
16 **CERTAIN VETERANS AND SPOUSES, PART-**  
17 **NERS, AND GESTATIONAL SURROGATES OF**  
18 **SUCH VETERANS.**

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

1 **“§ 1720J. Fertility treatment and counseling for cer-**  
2 **tain veterans and spouses, partners, and**  
3 **gestational surrogates of such veterans**

4 “(a) IN GENERAL.—(1) The Secretary shall furnish  
5 fertility treatment and counseling, including through the  
6 use of assisted reproductive technology, to a covered vet-  
7 eran or a spouse, partner, or gestational surrogate of a  
8 covered veteran if the veteran, and the spouse, partner,  
9 or gestational surrogate of the veteran, as applicable,  
10 apply jointly for such counseling and treatment through  
11 a process prescribed by the Secretary.

12 “(2) Fertility treatment and counseling shall be fur-  
13 nished under paragraph (1) without regard to the sex or  
14 marital status of the covered veteran.

15 “(3) In the case of in vitro fertilization treatment fur-  
16 nished under paragraph (1), the Secretary may furnish  
17 not more than three completed cycles or six attempted cy-  
18 cles of in vitro fertilization, whichever occurs first, to an  
19 individual under such paragraph.

20 “(b) COORDINATION OF CARE FOR OTHER INDIVID-  
21 UALS.—In the case of a veteran or a spouse, partner, or  
22 gestational surrogate of a veteran not described in sub-  
23 section (a) who is seeking fertility treatment and coun-  
24 seling, the Secretary may coordinate fertility treatment  
25 and counseling for such veteran, spouse, partner, or gesta-  
26 tional surrogate.

1       “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion shall be construed to require the Secretary—

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

6               “(2) to furnish maternity care to a covered vet-  
7 eran or spouse, partner, or gestational surrogate of  
8 a covered veteran in addition to what is otherwise  
9 required by law.

10       “(d) DEFINITIONS.—In this section:

11               “(1) The term ‘assisted reproductive tech-  
12 nology’ includes in vitro fertilization and other fer-  
13 tility treatments in which both eggs and sperm are  
14 handled when clinically appropriate.

15               “(2) The term ‘covered veteran’ means a se-  
16 verely wounded, ill, or injured veteran who—

17                       “(A) has an infertility condition incurred  
18 or aggravated in line of duty in the active mili-  
19 tary, naval, or air service; and

20                       “(B) is enrolled in the system of annual  
21 patient enrollment established under section  
22 1705(a) of this title.

23               “(3) The term ‘fertility treatment’ includes the  
24 following:

1                   “(A) Procedures that use assisted repro-  
2                   ductive technology.

3                   “(B) Sperm retrieval.

4                   “(C) Egg retrieval.

5                   “(D) Artificial insemination.

6                   “(E) Embryo transfer.

7                   “(F) Such other treatments as the Sec-  
8                   retary considers appropriate.

9                   “(4) The term ‘partner’, with respect to a vet-  
10                   eran, means an individual selected by the veteran  
11                   who agrees to share with the veteran the parental  
12                   responsibilities with respect to any child born as a  
13                   result of the use of any fertility treatment under this  
14                   section.”.

15                   (b) CLERICAL AMENDMENT.—The table of sections  
16                   at the beginning of chapter 17 of such title is amended  
17                   by inserting after the item relating to section 1720I the  
18                   following new item:

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

19                   **SEC. 203. ADOPTION ASSISTANCE FOR SEVERELY WOUND-**  
20                   **ED VETERANS.**

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

1 **“§ 1789. Adoption assistance**

2 “(a) IN GENERAL.—The Secretary may pay an  
3 amount, not to exceed the limitation amount, to assist a  
4 covered veteran in the adoption of one or more children.

5 “(b) LIMITATION AMOUNT.—For purposes of this  
6 section, the limitation amount is the amount equal to the  
7 cost the Department would incur by paying the expenses  
8 of three adoptions by covered veterans, as determined by  
9 the Secretary.

10 “(c) COVERED VETERAN DEFINED.—In this section,  
11 the term ‘covered veteran’ has the meaning given that  
12 term in section 1720J of this title.”.

13 (b) CLERICAL AMENDMENT.—The table of sections  
14 at the beginning of chapter 17 of such title is amended  
15 by inserting after the item relating to section 1788 the  
16 following new item:

“1789. Adoption assistance.”.

17 **SEC. 204. ANNUAL REPORT ON FERTILITY TREATMENT AND**  
18 **COUNSELING FURNISHED BY DEPARTMENT**  
19 **OF VETERANS AFFAIRS.**

20 (a) IN GENERAL.—Not later than one year after the  
21 date of the enactment of this Act, and not less frequently  
22 than annually thereafter, the Secretary of Veterans Af-  
23 fairs shall submit to the Committee on Veterans’ Affairs  
24 of the Senate and the Committee on Veterans’ Affairs of  
25 the House of Representatives a report on the fertility

1 treatment and counseling furnished by the Department of  
2 Veterans Affairs during the year preceding the submittal  
3 of the report.

4 (b) ELEMENTS.—Each report submitted under sub-  
5 section (a) shall include, for the period covered by the re-  
6 port, the following:

7 (1) The number of veterans who received fer-  
8 tility treatment or counseling furnished by the De-  
9 partment of Veterans Affairs, disaggregated by era  
10 of military service of such veterans.

11 (2) The number of spouses, partners, and ges-  
12 tational surrogates of veterans who received fertility  
13 treatment or counseling furnished by the Depart-  
14 ment.

15 (3) The cost to the Department of furnishing  
16 fertility treatment and counseling, disaggregated by  
17 cost of services and administration.

18 (4) The average cost to the Department per re-  
19 cipient of fertility treatment and counseling.

20 (5) In cases in which the Department furnished  
21 fertility treatment through the use of assisted repro-  
22 ductive technology, the average number of cycles per  
23 person furnished, disaggregated by type of treat-  
24 ment.



1           (6) A description of how fertility treatment and  
2           counseling services of the Department are coordi-  
3           nated with similar services of the Department of De-  
4           fense.

5           (c) DEFINITIONS.—In this section, the terms “as-  
6           sisted reproductive technology” and “partner” have the  
7           meanings given those terms in section 1720J of title 38,  
8           United States Code, as added by section 202.

9   **SEC. 205. REGULATIONS ON FURNISHING OF FERTILITY**  
10                   **TREATMENT AND COUNSELING AND ADOPTI-**  
11                   **ON ASSISTANCE BY DEPARTMENT OF VET-**  
12                   **ERANS AFFAIRS.**

13           Not later than 18 months after the date of the enact-  
14           ment of this Act, the Secretary of Veterans Affairs shall  
15           prescribe regulations—

16           (1) to carry out section 1720J of title 38,  
17           United States Code, as added by section 202; and

18           (2) to carry out section 1789 of such title, as  
19           added by section 203.

20   **SEC. 206. FACILITATION OF REPRODUCTION AND INFERTI-**  
21                   **LITY RESEARCH.**

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

1 **“§ 7330D. 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 geni-  
9 tourinary service-connected disability or a condition that  
10 was incurred or aggravated in line of duty in the active  
11 military, naval, or air service, such as a spinal cord injury,  
12 that affects the veterans’ ability to reproduce.

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

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

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

23 (c) REPORT.—Not later than three years after the  
24 date of the enactment of this Act, the Secretary of Vet-  
25 erans Affairs shall submit to Congress a report on the re-

1 search activities conducted by the Secretary under section  
2 7330D of title 38, United States Code, as added by sub-  
3 section (a).

4 **SEC. 207. REQUIREMENT TO IMPROVE DEPARTMENT OF**  
5 **VETERANS AFFAIRS WOMEN VETERANS CON-**  
6 **TACT CENTER.**

7 The Secretary of Veterans Affairs shall enhance the  
8 capabilities of the women veterans contact center of the  
9 Department of Veterans Affairs—

10 (1) to respond to requests by women veterans  
11 for assistance with accessing health care and bene-  
12 fits furnished under the laws administered by the  
13 Secretary; and

14 (2) to refer such veterans to resources provided  
15 by the Federal Government and the community to  
16 obtain assistance with services not furnished by the  
17 Department.

18 **SEC. 208. MODIFICATION OF PILOT PROGRAM ON COUN-**  
19 **SELING IN RETREAT SETTINGS FOR WOMEN**  
20 **VETERANS NEWLY SEPARATED FROM SERV-**  
21 **ICE IN THE ARMED FORCES.**

22 (a) INCREASE IN NUMBER OF LOCATIONS.—Sub-  
23 section (c) of section 203 of the Caregivers and Veterans  
24 Omnibus Health Services Act of 2010 (Public Law 111–

1 163; 38 U.S.C. 1712A note) is amended by striking “three  
2 locations” and inserting “14 locations”.

3 (b) PERMANENT PROGRAM.—Such section is amend-  
4 ed—

5 (1) by striking subsections (d) and (e); and

6 (2) by redesignating subsections (f) as sub-  
7 section (d).

8 (c) AUTHORIZATION OF APPROPRIATIONS.—Sub-  
9 section (d) of such section, as redesignated by subsection  
10 (b)(2), is amended by striking “Secretary of Veterans Af-  
11 fairs for each” and all that follows through the period at  
12 the end and inserting “Secretary of Veterans Affairs to  
13 carry out the pilot program—

14 “(1) for each of fiscal years 2010, 2011, 2015,  
15 2016, 2017, 2018, 2019, \$2,000,000; and

16 “(2) for each fiscal year after fiscal year 2019,  
17 such sums as may be necessary.”.

18 **SEC. 209. PROGRAM ON ASSISTANCE FOR CHILD CARE FOR**

19 **CERTAIN VETERANS.**

20 (a) ASSISTANCE FOR CHILD CARE FOR CERTAIN  
21 VETERANS RECEIVING HEALTH CARE.—

22 (1) IN GENERAL.—Subchapter I of chapter 17  
23 of title 38, United States Code, is amended by add-  
24 ing at the end the following new section:

1 **“§ 1709C. Assistance for child care for certain vet-**  
2 **erans receiving health care**

3 “(a) PROGRAM REQUIRED.—The Secretary shall  
4 carry out a program to provide, subject to subsection (b),  
5 assistance to qualified veterans described in subsection (c)  
6 to obtain child care so that such veterans can receive  
7 health care services described in subsection (c)(2).

8 “(b) LIMITATION ON PERIOD OF PAYMENTS.—As-  
9 sistance may be provided to a qualified veteran under this  
10 section for receipt of child care only during the period that  
11 the qualified veteran—

12 “(1) receives the types of health care services  
13 described in subsection (c)(2) at a facility of the De-  
14 partment; and

15 “(2) requires travel to and return from such fa-  
16 cility for the receipt of such health care services.

17 “(c) QUALIFIED VETERANS.—For purposes of this  
18 section, a qualified veteran is a veteran who—

19 “(1) is the primary caretaker of a child or chil-  
20 dren; and

21 “(2)(A) receives from the Department—

22 “(i) regular mental health care services;

23 “(ii) intensive mental health care services;

24 or

25 “(iii) such other intensive health care serv-  
26 ices that the Secretary determines that provi-

1           sion of assistance to the veteran to obtain child  
2           care would improve access to such health care  
3           services by the veteran; or

4           “(B) is in need of regular or intensive mental  
5           health care services from the Department, and but  
6           for lack of child care services, would receive such  
7           health care services from the Department.

8           “(d) LOCATIONS.—Not later than five years after the  
9           date of the enactment of the Women Veterans and Fami-  
10          lies Health Services Act of 2019, the Secretary shall carry  
11          out the program at each medical center of the Depart-  
12          ment.

13          “(e) FORMS OF CHILD CARE ASSISTANCE.—(1)  
14          Child care assistance under this section may include the  
15          following:

16                 “(A) Stipends for the payment of child care of-  
17                 fered by licensed child care centers (either directly  
18                 or through a voucher program) that shall be, to the  
19                 extent practicable, modeled after the Department of  
20                 Veterans Affairs Child Care Subsidy Program estab-  
21                 lished pursuant to section 630 of the Treasury and  
22                 General Government Appropriations Act, 2002  
23                 (Public Law 107–67; 115 Stat. 552).

24                 “(B) Direct provision of child care at an on-site  
25                 facility of the Department.

1           “(C) Payments to private child care agencies.

2           “(D) Collaboration with facilities or programs  
3 of other Federal agencies.

4           “(E) Such other forms of assistance as the Sec-  
5 retary considers appropriate.

6           “(2) In providing child care assistance under this sec-  
7 tion, the child care needs of the local area shall be consid-  
8 ered and the head of each medical center may select the  
9 type of care that is most appropriate or feasible for such  
10 medical center.

11          “(3) In the case that child care assistance under this  
12 section is provided as a stipend under paragraph (1)(A),  
13 such stipend shall cover the full cost of such child care.”.

14           (2) CONFORMING AMENDMENT.—Section  
15 205(e) of the Caregivers and Veterans Omnibus  
16 Health Services Act of 2010 (Public Law 111–163;  
17 38 U.S.C. 1710 note) is amended by striking “Sep-  
18 tember 30, 2020” and inserting “the date of the en-  
19 actment of the Women Veterans and Families  
20 Health Services Act of 2019”.

21           (3) CLERICAL AMENDMENT.—The table of sec-  
22 tions at the beginning of chapter 17 of such title is  
23 amended by inserting after the item relating to sec-  
24 tion 1709B the following new item:

“1709C. Assistance for child care for certain veterans receiving health care.”.

1 (b) ASSISTANCE FOR CHILD CARE FOR CERTAIN  
2 VETERANS RECEIVING READJUSTMENT COUNSELING  
3 AND RELATED MENTAL HEALTH SERVICES.—

4 (1) IN GENERAL.—Subchapter I of chapter 17  
5 of such title, as amended by subsection (a)(1), is  
6 further amended by adding at the end the following  
7 new section:

8 **“§ 1709D. Assistance for child care for certain vet-**  
9 **erans receiving readjustment counseling**  
10 **and related mental health services**

11 “(a) PROGRAM REQUIRED.—The Secretary shall  
12 carry out a program to provide, subject to subsection (b),  
13 assistance to qualified veterans described in subsection (c)  
14 to obtain child care so that such veterans can receive read-  
15 justment counseling and related mental health services.

16 “(b) LIMITATION ON PERIOD OF PAYMENTS.—As-  
17 sistance may be provided to a qualified veteran under this  
18 section for receipt of child care only during the period that  
19 the qualified veteran receives readjustment counseling and  
20 related health care services at a Vet Center.

21 “(c) QUALIFIED VETERANS.—For purposes of this  
22 section, a qualified veteran is a veteran who—

23 “(1) is the primary caretaker of a child; and



1           “(2)(A) receives from the Department regular  
2           readjustment counseling and related mental health  
3           services; or

4           “(B) is in need of readjustment counseling and  
5           related mental health services from the Department,  
6           and but for lack of child care services, would receive  
7           such counseling and services from the Department.

8           “(d) LOCATIONS.—The Secretary shall carry out the  
9           program under this section in not fewer than three Read-  
10          justment Counseling Service Regions selected by the Sec-  
11          retary for purposes of the program.

12          “(e) FORMS OF CHILD CARE ASSISTANCE.—(1)  
13          Child care assistance under this section may include the  
14          following:

15                 “(A) Stipends for the payment of child care of-  
16                 fered by licensed child care centers (either directly  
17                 or through a voucher program) that shall be, to the  
18                 extent practicable, modeled after the Department of  
19                 Veterans Affairs Child Care Subsidy Program estab-  
20                 lished pursuant to section 630 of the Treasury and  
21                 General Government Appropriations Act, 2002  
22                 (Public Law 107–67; 115 Stat. 552).

23                 “(B) Payments to private child care agencies.

24                 “(C) Collaboration with facilities or programs  
25                 of other Federal agencies.

1           “(D) Such other forms of assistance as the Sec-  
2           retary considers appropriate.

3           “(2) In providing child care assistance under this sec-  
4           tion, the child care needs of the local area shall be consid-  
5           ered and the head of each Vet Center may select the type  
6           of care that is most appropriate or feasible for such Vet  
7           Center.

8           “(3) In the case that child care assistance under this  
9           subsection is provided as a stipend under paragraph  
10          (1)(A), such stipend shall cover the full cost of such child  
11          care.

12          “(f) VET CENTER DEFINED.—In this section, the  
13          term ‘Vet Center’ means a center for readjustment coun-  
14          seling and related mental health services for veterans  
15          under section 1712A of this title.”.

16                 (2) CLERICAL AMENDMENT.—The table of sec-  
17                 tions at the beginning of such chapter, as amended  
18                 by subsection (a)(3), is further amended by inserting  
19                 after the item relating to section 1709C the fol-  
20                 lowing new item:

                  “1709D. Assistance for child care for certain veterans receiving readjustment  
  counseling and related mental health services.”.

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