

114TH CONGRESS
1ST SESSION

H. R. 3365

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mr. LARSEN of Washington (for himself, Ms. DUCKWORTH, Ms. TITUS, Ms. JACKSON LEE, Mr. RUSH, Mr. SEAN PATRICK MALONEY of New York, and Ms. DELBENE) 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 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 2015”.

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 spouses, partners,
 and gestational surrogates of certain members of the Armed
 Forces.

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 spouses, partners, and gesta-
 tional surrogates of 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 SPOUSES, PARTNERS, AND**
7 **GESTATIONAL SURROGATES OF CERTAIN**
8 **MEMBERS OF THE ARMED FORCES.**

9 (a) FERTILITY TREATMENT AND COUNSELING.—

10 (1) IN GENERAL.—The Secretary of Defense
11 shall furnish fertility treatment and counseling, in-
12 cluding through the use of assisted reproductive
13 technology, to a spouse, partner, or gestational sur-
14 rogate of a severely wounded, ill, or injured member
15 of the Armed Forces who has an infertility condition
16 incurred or aggravated while serving on active duty
17 in the Armed Forces.

18 (2) ELIGIBILITY FOR TREATMENT AND COUN-
19 SELING.—Fertility treatment and counseling shall be
20 furnished under paragraph (1) to a spouse, partner,
21 or gestational surrogate of a member of the Armed
22 Forces described in such paragraph without regard
23 to the sex or marital status of such member.

24 (3) IN VITRO FERTILIZATION.—In the case of
25 in vitro fertilization treatment furnished under para-

1 graph (1), the Secretary may furnish not more than
2 three completed cycles or six attempted cycles of in
3 vitro fertilization, whichever occurs first, to a
4 spouse, partner, or gestational surrogate described
5 in such paragraph.

6 (b) PROCUREMENT OF GAMETES.—If a member of
7 the Armed Forces described in subsection (a) is unable
8 to provide their gametes for purposes of fertility treatment
9 under subsection (a), the Secretary shall, at the election
10 of such member, allow such member to receive such treat-
11 ment with donated gametes and pay or reimburse such
12 member the reasonable costs of procuring gametes from
13 a donor.

14 (c) CONSTRUCTION.—Nothing in this section shall be
15 construed to require the Secretary—

16 (1) to find or certify a gestational surrogate for
17 a member of the Armed Forces or to connect a ges-
18 tational surrogate with a member of the Armed
19 Forces; or

20 (2) to find or certify gametes from a donor for
21 a member of the Armed Forces or to connect a
22 member of the Armed Forces with gametes from a
23 donor.

24 (d) DEFINITIONS.—In this section:

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

3 (A) Procedures that use assisted reproduc-
4 tive technology.

5 (B) Sperm retrieval.

6 (C) Egg retrieval.

7 (D) Artificial insemination.

8 (E) Embryo transfer.

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

11 (2) ASSISTED REPRODUCTIVE TECHNOLOGY.—
12 The term “assisted reproductive technology” in-
13 cludes in vitro fertilization and other fertility treat-
14 ments in which both eggs and sperm are handled
15 when clinically appropriate.

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

22 **SEC. 102. ESTABLISHMENT OF FERTILITY PRESERVATION**
23 **PROCEDURES AFTER AN INJURY OR ILLNESS.**

24 (a) IN GENERAL.—The Secretary of Defense, acting
25 through the Assistant Secretary of Defense for Health Af-

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

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

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

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

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

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

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

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

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

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

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

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

15 (2) if the member—

16 (A) has lost the ability to consent perma-
17 nently, as determined by a medical professional;
18 and

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

1 **SEC. 103. CRYOPRESERVATION AND STORAGE OF GAMETES**
2 **OF MEMBERS OF THE ARMED FORCES ON AC-**
3 **TIVE DUTY.**

4 (a) IN GENERAL.—The Secretary of Defense shall
5 provide members of the Armed Forces on active duty in
6 the Armed Forces with the opportunity to cryopreserve
7 and store their gametes prior to deployment to a combat
8 zone.

9 (b) PERIOD OF TIME.—

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

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

1 (A) To continue such cryopreservation and
2 storage in such facility with the cost of such
3 cryopreservation and storage borne by the indi-
4 vidual.

5 (B) To transfer the gametes to a private
6 cryopreservation and storage facility selected by
7 the individual.

8 (C) To transfer the gametes to a facility of
9 the Department of Veterans Affairs if
10 cryopreservation and storage is available to the
11 individual at such facility.

12 (3) DISPOSAL OF GAMETES.—If an individual
13 described in paragraph (2) does not make a selection
14 under subparagraph (A), (B), or (C) of such para-
15 graph, the Secretary may dispose of the gametes of
16 the individual not earlier than the date that is 90
17 days after the end of the one-year period specified
18 in paragraph (1) with respect to the individual.

19 (c) ADVANCE MEDICAL DIRECTIVE AND MILITARY
20 TESTAMENTARY INSTRUMENT.—A member of the Armed
21 Forces who elects to cryopreserve and store their gametes
22 under this section must complete an advance medical di-
23 rective, as defined in section 1044c(b) of title 10, United
24 States Code, and a military testamentary instrument, as
25 defined in section 1044d(b) of such title, that explicitly

1 specifies the use of their cryopreserved and stored gametes
2 if such member dies or otherwise loses the capacity to con-
3 sent to the use of their cryopreserved and stored gametes.

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

8 **SEC. 104. COORDINATION BETWEEN DEPARTMENT OF DE-**
9 **FENSE AND DEPARTMENT OF VETERANS AF-**
10 **FAIRS ON FURNISHING OF FERTILITY TREAT-**
11 **MENT AND COUNSELING.**

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

18 (b) MEMORADUM OF UNDERSTANDING.—The Sec-
19 retary of Defense and the Secretary of Veterans Affairs
20 shall enter into a memorandum of understanding—

21 (1) providing that the Secretary of Defense will
22 ensure access by the Secretary of Veterans Affairs
23 to gametes of veterans stored by the Department of
24 Defense for purposes of furnishing fertility treat-

1 ment under section 1788 of title 38, United States
2 Code, as added by section 202; and

3 (2) authorizing the Department of Veterans Af-
4 fairs to compensate the Department of Defense for
5 the cryopreservation and storage of gametes of vet-
6 erans under section 103.

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

10 **SEC. 201. INCLUSION OF FERTILITY TREATMENT AND**
11 **COUNSELING UNDER THE DEFINITION OF**
12 **MEDICAL SERVICES IN TITLE 38.**

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

16 “(H) Fertility treatment and counseling,
17 including treatment using assisted reproductive
18 technology.”.

19 **SEC. 202. FERTILITY TREATMENT AND COUNSELING FOR**
20 **SPOUSES, PARTNERS, AND GESTATIONAL**
21 **SURROGATES OF VETERANS.**

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

1 **“§ 1788. Fertility treatment and counseling for**
2 **spouses, partners, and gestational surro-**
3 **gates of 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 spouse, part-
7 ner, or gestational surrogate of a severely wounded, ill,
8 or injured veteran who has an infertility condition in-
9 curred or aggravated in line of duty in the active military,
10 naval, or air service and who is enrolled in the system of
11 annual patient enrollment established under section
12 1705(a) of this title if the spouse, partner, or gestational
13 surrogate and the veteran apply jointly for such counseling
14 and treatment through a process prescribed by the Sec-
15 retary.

16 “(2) Fertility treatment and counseling shall be fur-
17 nished under paragraph (1) to a spouse, partner, or gesta-
18 tional surrogate of a veteran described in such paragraph
19 without regard to the sex or marital status of such vet-
20 eran.

21 “(3) In the case of in vitro fertilization treatment fur-
22 nished under paragraph (1), the Secretary may furnish
23 not more than three completed cycles or six attempted cy-
24 cles of in vitro fertilization, whichever occurs first, to a
25 spouse, partner, or gestational surrogate described in such
26 paragraph.

1 “(b) COORDINATION OF CARE FOR OTHER SPOUSES,
2 PARTNERS, AND GESTATIONAL SURROGATES.—In the
3 case of a spouse, partner, or gestational surrogate of a
4 veteran not described in subsection (a) who is seeking fer-
5 tility treatment and counseling, the Secretary may coordi-
6 nate fertility treatment and counseling for such spouse,
7 partner, or gestational surrogate.

8 “(c) CONSTRUCTION.—Nothing in this section shall
9 be construed to require the Secretary—

10 “(1) to find or certify a gestational surrogate
11 for a veteran or to connect a gestational surrogate
12 with a veteran; or

13 “(2) to furnish maternity care to a spouse,
14 partner, or gestational surrogate of a veteran in ad-
15 dition to what is otherwise required by law.

16 “(d) DEFINITIONS.—In this section:

17 “(1) The term ‘fertility treatment’ includes the
18 following:

19 “(A) Procedures that use assisted repro-
20 ductive technology.

21 “(B) Sperm retrieval.

22 “(C) Egg retrieval.

23 “(D) Artificial insemination.

24 “(E) Embryo transfer.

1 “(F) Such other treatments as the Sec-
2 retary of Veterans Affairs considers appro-
3 priate.

4 “(2) The term ‘assisted reproductive tech-
5 nology’ includes in vitro fertilization and other fer-
6 tility treatments in which both eggs and sperm are
7 handled when clinically appropriate.

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

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of chapter 17 of such title is amended
16 by inserting after the item relating to section 1787 the
17 following new item:

 “1788. Fertility treatment and counseling for spouses, partners, and gestational
 surrogates of veterans.”.

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

20 (a) IN GENERAL.—Subchapter VIII of chapter 17 of
21 title 38, United States Code, as amended by section 202,
22 is further amended by adding at the end the following new
23 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) COVERED VETERAN.—For purposes of this sec-
6 tion, a covered veteran is any severely wounded, ill, or in-
7 jured veteran who—

8 “(1) has an infertility condition incurred or ag-
9 gravated in line of duty in the active military, naval,
10 or air service; and

11 “(2) is enrolled in the system of annual patient
12 enrollment established under section 1705(a) of this
13 title.

14 “(c) LIMITATION AMOUNT.—For purposes of this
15 section, the limitation amount is the amount equal to the
16 cost the Department would incur by paying the expenses
17 of three adoptions by covered veterans, as determined by
18 the Secretary.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 17 of such title, as amended
21 by section 202, is further amended by inserting after the
22 item relating to section 1788 the following new item:

“1789. Adoption assistance.”.

1 **SEC. 204. ANNUAL REPORT ON FERTILITY TREATMENT AND**
2 **COUNSELING FURNISHED BY DEPARTMENT**
3 **OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of the enactment of this Act and not less frequently
6 than once each year thereafter, the Secretary of Veterans
7 Affairs shall submit to the Committee on Veterans' Affairs
8 of the Senate and the Committee on Veterans' Affairs of
9 the House of Representatives a report on the fertility
10 treatment and counseling furnished by the Department of
11 Veterans Affairs during the year preceding the submittal
12 of the report.

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

16 (1) The number of veterans who received fer-
17 tility treatment or counseling furnished by the De-
18 partment of Veterans Affairs, disaggregated by era
19 of military service of such veterans.

20 (2) The number of spouses, partners, and ges-
21 tational surrogates of veterans who received fertility
22 treatment or counseling furnished by the Depart-
23 ment.

24 (3) The cost to the Department of furnishing
25 fertility treatment and counseling, disaggregated by
26 cost of services and administration.

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

3 (5) In cases in which the Department furnished
4 fertility treatment through the use of assisted repro-
5 ductive technology, the average number of cycles per
6 person furnished, disaggregated by type of treat-
7 ment.

8 (6) A description of how fertility treatment and
9 counseling services of the Department are coordi-
10 nated with similar services of the Department of De-
11 fense.

12 (c) DEFINITIONS.—In this section, the terms “as-
13 sisted reproductive technology” and “partner” have the
14 meanings given those term in section 1788 of title 38,
15 United States Code, as added by section 202.

16 **SEC. 205. REGULATIONS ON FURNISHING OF FERTILITY**
17 **TREATMENT AND COUNSELING AND ADOPT-**
18 **ION ASSISTANCE BY DEPARTMENT OF VET-**
19 **ERANS AFFAIRS.**

20 (a) IN GENERAL.—Not later than 540 days after the
21 date of the enactment of this Act, the Secretary of Vet-
22 erans Affairs shall prescribe regulations—

23 (1) on the furnishing of fertility treatment to
24 veterans using assisted reproductive technology;

1 (2) to carry out section 1788 of title 38, United
2 States Code, as added by section 202; and

3 (3) to carry out section 1789 of such title, as
4 added by section 203.

5 (b) LIMITATION.—Notwithstanding any other provi-
6 sion of law, during the period beginning on the date of
7 the enactment of this Act and ending on the date on which
8 the Secretary prescribes regulations under subsection (a),
9 the Secretary may not furnish—

10 (1) to a veteran any fertility treatment that
11 uses an assisted reproductive technology that the
12 Secretary has not used in the provision of a fertility
13 treatment to a veteran before the date of the enact-
14 ment of this Act;

15 (2) any fertility treatment or counseling under
16 section 1788 of title 38, United States Code, as
17 added by section 202; or

18 (3) any assistance under section 1789 of such
19 title, as added by section 203.

20 (c) ASSISTED REPRODUCTIVE TECHNOLOGY DE-
21 FINED.—In this section, the term “assisted reproductive
22 technology” has the meaning given the term in section
23 1788 of such title, as added by section 202.

1 **SEC. 206. FACILITATION OF REPRODUCTION AND INFERTILITY RESEARCH.**
2

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

6 **“§ 7330B. Facilitation of reproduction and infertility
7 research**

8 “(a) FACILITATION OF RESEARCH REQUIRED.—The
9 Secretary shall facilitate research conducted collabo-
10 ratively by the Secretary of Defense and the Secretary of
11 Health and Human Services to improve the ability of the
12 Department of Veterans Affairs to meet the long-term re-
13 productive health care needs of veterans who have a geni-
14 tourinary service-connected disability or a condition that
15 was incurred or aggravated in line of duty in the active
16 military, naval, or air service, such as a spinal cord injury,
17 that affects the veterans’ ability to reproduce.

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

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 73 of such title is amended

1 by inserting after the item relating to section 7330A the
2 following new item:

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

3 (c) REPORT.—Not later than three years after the
4 date of the enactment of this Act, the Secretary of Vet-
5 erans Affairs shall submit to Congress a report on the re-
6 search activities conducted by the Secretary under section
7 7330B of title 38, United States Code, as added by sub-
8 section (a).

9 **SEC. 207. REQUIREMENT TO IMPROVE DEPARTMENT OF**
10 **VETERANS AFFAIRS WOMEN VETERANS CON-**
11 **TACT CENTER.**

12 The Secretary of Veterans Affairs shall enhance the
13 capabilities of the women veterans contact center of the
14 Department of Veterans Affairs—

15 (1) to respond to requests by women veterans
16 for assistance with accessing health care and bene-
17 fits furnished under the laws administered by the
18 Secretary; and

19 (2) to refer such veterans to resources provided
20 by the Federal Government and the community to
21 obtain assistance with services not furnished by the
22 Department.

1 **SEC. 208. MODIFICATION OF PILOT PROGRAM ON COUN-**
2 **SELING IN RETREAT SETTINGS FOR WOMEN**
3 **VETERANS NEWLY SEPARATED FROM SERV-**
4 **ICE IN THE ARMED FORCES.**

5 (a) INCREASE IN NUMBER OF LOCATIONS.—Sub-
6 section (c) of section 203 of the Caregivers and Veterans
7 Omnibus Health Services Act of 2010 (Public Law 111–
8 163; 38 U.S.C. 1712A note) is amended by striking “three
9 locations” and inserting “14 locations”.

10 (b) EXTENSION OF DURATION.—Subsection (d) of
11 such section is amended by striking “December 31, 2015”
12 and inserting “December 31, 2018”.

13 (c) AUTHORIZATION OF APPROPRIATIONS.—Sub-
14 section (f) of such section is amended by striking “Sec-
15 retary of Veterans Affairs for each” and all that follows
16 through the period at the end and inserting “Secretary
17 of Veterans Affairs to carry out the pilot program—

18 “(1) for each of fiscal years 2010, 2011, and
19 2015, \$2,000,000; and

20 “(2) for each of fiscal years 2016, 2017, and
21 2018, such sums as may be necessary.”.

22 **SEC. 209. PROGRAM ON ASSISTANCE FOR CHILD CARE FOR**
23 **CERTAIN VETERANS.**

24 (a) ASSISTANCE FOR CHILD CARE FOR CERTAIN
25 VETERANS RECEIVING HEALTH CARE.—

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

4 **“§ 1709B. Assistance for child care for certain vet-**
5 **erans receiving health care**

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

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

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

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

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

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

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

25 “(i) regular mental health care services;

1 “(ii) intensive mental health care services;

2 or

3 “(iii) such other intensive health care serv-
4 ices that the Secretary determines that provi-
5 sion of assistance to the veteran to obtain child
6 care would improve access to such health care
7 services by the veteran; or

8 “(B) is in need of regular or intensive mental
9 health care services from the Department, and but
10 for lack of child care services, would receive such
11 health care services from the Department.

12 “(d) LOCATIONS.—Not later than five years after the
13 date of the enactment of the Women Veterans and Fami-
14 lies Health Services Act of 2015, the Secretary shall carry
15 out the program at each medical center of the Depart-
16 ment.

17 “(e) FORMS OF CHILD CARE ASSISTANCE.—(1)
18 Child care assistance under this section may include the
19 following:

20 “(A) Stipends for the payment of child care of-
21 fered by licensed child care centers (either directly
22 or through a voucher program) that shall be, to the
23 extent practicable, modeled after the Department of
24 Veterans Affairs Child Care Subsidy Program estab-
25 lished pursuant to section 630 of the Treasury and

1 General Government Appropriations Act, 2002
2 (Public Law 107–67; 115 Stat. 552).

3 “(B) Direct provision of child care at an on-site
4 facility of the Department of Veterans Affairs.

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

6 “(D) Collaboration with facilities or programs
7 of other Federal departments or agencies.

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

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

13 (2) CONFORMING AMENDMENT.—Section
14 205(e) of the Caregivers and Veterans Omnibus
15 Health Services Act of 2010 (Public Law 111–163;
16 38 U.S.C. 1710 note) is amended by striking “De-
17 cember 31, 2015” and inserting “the date of the en-
18 actment of the Women Veterans and Families
19 Health Services Act of 2015”.

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

“1709B. 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 **“§ 1709C. 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 departments or agencies.

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

3 “(2) In the case that child care assistance under this
4 subsection is provided as a stipend under paragraph
5 (1)(A), such stipend shall cover the full cost of such child
6 care.

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

11 (2) CLERICAL AMENDMENT.—The table of sec-
12 tions at the beginning of such chapter, as amended
13 by subsection (a)(3), is further amended by inserting
14 after the item relating to section 1709B the fol-
15 lowing new item:

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

