

117TH CONGRESS  
1ST SESSION

# H. R. 6094

To amend title 10, United States Code, to provide for the coverage of assisted reproductive technology services under the TRICARE program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2021

Ms. STRICKLAND (for herself, Ms. JACKSON LEE, Ms. NORTON, Ms. PRESSLEY, Mr. TAKANO, and Mrs. CAROLYN B. MALONEY of New York) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to provide for the coverage of assisted reproductive technology services under the TRICARE program, 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 “Expanding Access to  
5 Fertility Care for Servicemembers and Dependents Act”.

1 **SEC. 2. COVERAGE OF ASSISTED REPRODUCTIVE TECH-**  
2 **NOLOGY SERVICES UNDER TRICARE PRO-**  
3 **GRAM.**

4 (a) SERVICES COVERED.—Chapter 55 of title 10,  
5 United States Code, is amended by inserting after section  
6 1074o the following new section:

7 **“§ 1074p. Assisted reproductive technology services**  
8 **for certain members and dependents**

9 “(a) IN GENERAL.—Any member of the armed forces  
10 (including the reserve components) performing active serv-  
11 ice who is entitled to medical care under the TRICARE  
12 program, and any dependent of such a member, shall be  
13 entitled to assisted reproductive technology services as  
14 part of such medical care, without regard to any of the  
15 following:

16 “(1) Whether the assisted reproductive tech-  
17 nology service is related to the treatment of a serv-  
18 ice-connected disability.

19 “(2) Whether the member has a serious illness  
20 or injury resulting from a service-connected dis-  
21 ability.

22 “(3) The ability of the member or dependent,  
23 as applicable—

24 “(A) to conceive a pregnancy or carry a  
25 pregnancy to live birth after an appropriate pe-

1           riod of regular, unprotected sexual intercourse;  
2           or

3           “(B) to reproduce, either as an individual  
4           or with a partner.

5           “(4) The sex, gender, sexual orientation, or  
6           marital status of the member or dependent, as appli-  
7           cable.

8           “(b) DEFINITIONS.—In this section:

9           “(1) The term ‘appropriate period’ means, with  
10          respect to an individual, a period of at least one  
11          year, unless the health care provider of the indi-  
12          vidual determines, based on medical history, age, or  
13          physical findings, that a shorter period is appro-  
14          priate.

15          “(2) The term ‘assisted reproductive technology  
16          services’ includes the following services:

17                 “(A) Assisted reproduction, including  
18                 intravaginal insemination, intracervical insemi-  
19                 nation, and intrauterine insemination.

20                 “(B) In-vitro fertilization.

21                 “(C) The preservation of embryos, eggs, or  
22                 sperm for future use through cryopreservation.

23                 “(D) Such other forms of assisted repro-  
24                 ductive technology as determined appropriate  
25                 by the Secretary.”.

1           (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 55 of title 10, United States  
3 Code, is amended by inserting after the item relating to  
4 1074o the following new item:

“1074p. Assisted reproductive technology services for certain members and dependents.”.

