

S 4445

Right to IVF Act

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Jun 3, 2024

Current Status: Upon reconsideration, cloture on the motion to proceed to the measure not invoked in Senate by Yea-N

Latest Action: Upon reconsideration, cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay

Vote. 51 - 44. Record Vote Number: 242. (CR S6078) (Sep 17, 2024)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/4445>

Sponsor

Name: Sen. Duckworth, Tammy [D-IL]

Party: Democratic • **State:** IL • **Chamber:** Senate

Cosponsors (48 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Booker, Cory A. [D-NJ]	D · NJ		Jun 3, 2024
Sen. Murray, Patty [D-WA]	D · WA		Jun 3, 2024
Sen. Schumer, Charles E. [D-NY]	D · NY		Jun 3, 2024
Sen. Baldwin, Tammy [D-WI]	D · WI		Jun 4, 2024
Sen. Bennet, Michael F. [D-CO]	D · CO		Jun 4, 2024
Sen. Blumenthal, Richard [D-CT]	D · CT		Jun 4, 2024
Sen. Brown, Sherrod [D-OH]	D · OH		Jun 4, 2024
Sen. Butler, Laphonza R. [D-CA]	D · CA		Jun 4, 2024
Sen. Carper, Thomas R. [D-DE]	D · DE		Jun 4, 2024
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jun 4, 2024
Sen. Coons, Christopher A. [D-DE]	D · DE		Jun 4, 2024
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 4, 2024
Sen. Fetterman, John [D-PA]	D · PA		Jun 4, 2024
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jun 4, 2024
Sen. Hassan, Margaret Wood [D-NH]	D · NH		Jun 4, 2024
Sen. Heinrich, Martin [D-NM]	D · NM		Jun 4, 2024
Sen. Hickenlooper, John W. [D-CO]	D · CO		Jun 4, 2024
Sen. Hirono, Mazie K. [D-HI]	D · HI		Jun 4, 2024
Sen. Kaine, Tim [D-VA]	D · VA		Jun 4, 2024
Sen. King, Angus S., Jr. [I-ME]	I · ME		Jun 4, 2024
Sen. Klobuchar, Amy [D-MN]	D · MN		Jun 4, 2024
Sen. Lujan, Ben Ray [D-NM]	D · NM		Jun 4, 2024
Sen. Markey, Edward J. [D-MA]	D · MA		Jun 4, 2024
Sen. Merkley, Jeff [D-OR]	D · OR		Jun 4, 2024
Sen. Murphy, Christopher [D-CT]	D · CT		Jun 4, 2024
Sen. Padilla, Alex [D-CA]	D · CA		Jun 4, 2024
Sen. Reed, Jack [D-RI]	D · RI		Jun 4, 2024
Sen. Rosen, Jacky [D-NV]	D · NV		Jun 4, 2024
Sen. Sanders, Bernard [I-VT]	I · VT		Jun 4, 2024
Sen. Schatz, Brian [D-HI]	D · HI		Jun 4, 2024
Sen. Smith, Tina [D-MN]	D · MN		Jun 4, 2024
Sen. Stabenow, Debbie [D-MI]	D · MI		Jun 4, 2024
Sen. Warner, Mark R. [D-VA]	D · VA		Jun 4, 2024
Sen. Warren, Elizabeth [D-MA]	D · MA		Jun 4, 2024
Sen. Welch, Peter [D-VT]	D · VT		Jun 4, 2024
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jun 4, 2024
Sen. Wyden, Ron [D-OR]	D · OR		Jun 4, 2024
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jun 5, 2024
Sen. Shaheen, Jeanne [D-NH]	D · NH		Jun 5, 2024
Sen. Warnock, Raphael G. [D-GA]	D · GA		Jun 5, 2024
Sen. Cantwell, Maria [D-WA]	D · WA		Jun 11, 2024

Cosponsor	Party / State	Role	Date Joined
Sen. Cortez Masto, Catherine [D-NV]	D · NV		Jun 11, 2024
Sen. Menendez, Robert [D-NJ]	D · NJ		Jun 11, 2024
Sen. Peters, Gary C. [D-MI]	D · MI		Jun 11, 2024
Sen. Tester, Jon [D-MT]	D · MT		Jun 11, 2024
Sen. Van Hollen, Chris [D-MD]	D · MD		Jun 11, 2024
Sen. Kelly, Mark [D-AZ]	D · AZ		Jun 12, 2024
Sen. Ossoff, Jon [D-GA]	D · GA		Jun 12, 2024

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
118 HR 9643	Identical bill	Dec 17, 2024: Referred to the Subcommittee on Health.
118 HRES 1346	Related bill	Jul 24, 2024: Motion to Discharge Committee filed by Ms. Wild. Petition No: 118-15. (https://clerk.house.gov/DischargePetition/2024072415?Page=2) Discharge petition text with signatures.)

Right to IVF Act

This bill provides a statutory right to access fertility treatments (e.g., in vitro fertilization).

Specifically, under the bill, individuals have the right to access fertility treatments and to make decisions about the use of their reproductive genetic material (e.g., embryos) without limitation or interference. Health care providers and insurers have the right to provide and cover these services, respectively. Manufacturers of applicable drugs or devices also have the right to provide these drugs or devices.

The bill supersedes state laws that limit or otherwise interfere with the provision of fertility treatments as set out under this bill, including laws that require medically unnecessary procedures or services in conjunction with fertility treatments or that restrict the ability of individuals to receive fertility treatments based on marital status or sex (including sexual orientation or gender identity). The bill does not affect state health and safety regulations for medical facilities or health care providers that are in accordance with widely accepted and evidence-based medical standards and for which the purpose cannot be achieved in another, nonrestrictive manner.

The Department of Justice may bring civil actions against states, individuals, or entities that implement or enforce limitations or requirements that violate this bill. Individuals and health care providers may also bring civil actions.

In addition, the bill provides for coverage of fertility treatments under Medicare and Medicaid and for members of the uniformed services and veterans. It also requires private insurers that cover obstetrical services to also cover fertility treatments.

Actions Timeline

- **Sep 17, 2024:** Motion to proceed to measure considered in Senate. (CR S6075)
- **Sep 17, 2024:** Motion to proceed to consideration of the motion to reconsider the vote by which cloture on the motion to proceed to S. 4445 was not invoked (Record Vote No. 197) agreed to in Senate by Voice Vote. (CR S6078)
- **Sep 17, 2024:** Motion by Senator Schumer to reconsider the vote by which cloture on the motion to proceed to S. 4445 was not invoked (Record Vote No. 197) agreed to in Senate by Voice Vote. (CR S6078)
- **Sep 17, 2024:** Upon reconsideration, cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 51 - 44. Record Vote Number: 242. (CR S6078)
- **Jun 13, 2024:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S4067-4075)
- **Jun 13, 2024:** Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 48 - 47. Record Vote Number: 197. (CR S4075)
- **Jun 13, 2024:** Motion by Senator Schumer to reconsider the vote by which cloture on the motion to proceed to the measure was not invoked (Record Vote No. 197) made in Senate.
- **Jun 5, 2024:** Motion to proceed to consideration of measure made in Senate. (CR S3983)
- **Jun 5, 2024:** Cloture motion on the motion to proceed to the measure presented in Senate. (CR S3983)
- **Jun 4, 2024:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 413.
- **Jun 3, 2024:** Introduced in Senate
- **Jun 3, 2024:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.