Congress of the United States

Washington, DC 20515

April 22, 2024

The Honorable Kiran Ahuja Director U.S. Office of Personnel Management 1900 E Street, NW Washington, DC 20415

Dear Director Ahuja:

We write to commend your leadership, on behalf of the Biden administration, in strengthening the U.S. Office of Personnel Management's (OPM) commitment to helping our Nation's dedicated civil servants build their families through expanded coverage of assisted reproductive technology (ART) services under the Federal Employees Health Benefits (FEHB) Program.

For plan year 2024, OPM succeeded in providing Federal employees with 24 FEHB plan options providing varying levels of coverage of ART. Critically, for the first time in FEHB's history, OPM secured inclusion of a national plan with ART coverage, ensuring that every Federal employee, no matter where they live, will be guaranteed at least some coverage of ART services.

OPM also deserves significant credit for requiring FEHB carriers to cover in vitro fertilization (IVF) medications for three cycles annually. Out of pocket costs for one cycle of IVF can cost the patient between \$15,000 and \$30,000, with prescription drug costs accounting for 35 percent of that cost. While significant work remains to be done to improve IVF access, which includes ensuring comprehensive plan designs are inclusive of LGBTQ and solo individuals who rely on medical intervention to build their families, your leadership in making sure FEHB plans cover IVF medications represents meaningful progress in expanding access to fertility treatments, which will ultimately prove life-changing for families across the country.

As OPM begins to prepare for plan year 2025, we strongly urge you to build on the impressive progress the Biden administration has made in empowering the Federal Government to effectively recruit and retain the next generation of civil servants by requiring all FEHB carriers to cover IVF medical treatments and medications in plan year 2025. At a time when IVF is increasingly under attack by the extreme personhood movement, President Biden would send a strong message that his administration, in word and deed, are true champions of safeguarding the right of families to decide if, when and *how* to build a family.

Requiring FEHB carriers to cover IVF medical treatments and medications for plan year 2025 would reflect the reality that IVF is one of the most effective treatments for families struggling with infertility, and growing in popularity, with its usage nearly doubling from 2012 to 2021. Importantly, it would also sharpen the Federal Government's competitive advantage in competing for talented workers, as surveys demonstrate that employees experiencing infertility without adequate IVF coverage will express dissatisfaction with their employer and seek new professional opportunities.

As our Nation's largest employer-sponsored group health insurance plan, FEHB is a national trend setter for employer-sponsored coverage choices and making IVF coverage a default requirement would accelerate the adoption of pro-family policies beyond FEHB to ensure that more workers with employer-sponsored coverage are able to access IVF medical treatments.

Simply put, at a time when seemingly every politician is loudly declaring their support for IVF—even when many of those same politicians support the personhood movement that has endangered IVF's future—President Biden has an opportunity to demonstrate strong leadership by taking decisive action to make the scientific miracle that is IVF accessible to many more Americans, beginning with our dedicated Federal workforce.

Thank you in advance for considering our request to enhance FEHB's IVF coverage for plan year 2025, and we look forward to working with you to advance these important initiatives.

Sincerely,

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Member of Congress

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Member of Congress

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Martin Heinrich United States Senator

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