Department of Veterans Affairs

Memorandum

Date: December 22, 2025

From: Under Secretary for Health (10)

Subj: Provision of Abortion Counseling and Services (VIEWS 14159455)

To: Veterans Integrated Service Network Directors (10N1-23)

1. Purpose: This memorandum announces that the Department of Veterans Affairs (VA) must comply with the Department of Justice Office of Legal Counsel Opinion dated December 18, 2025, by reinstating the full exclusion on abortions and abortion counseling, which had been removed in 2022. VA is also reinstating the exclusions on abortion and abortion counseling for Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA), which also had been removed in 2022. Effective immediately, VA will no longer provide abortion or abortion counseling. VA's regulations at 38 CFR 17.38 and 17.272 will be amended accordingly. This memorandum defines life-saving services that are not considered abortion and may be provided under the medical benefits package under 38 CFR 17.38 and may be provided to CHAMPVA beneficiaries within the restrictions of 38 CFR 17.272.

2. **Life-Saving Treatment:** The changes to the medical benefits package and CHAMPVA do not prohibit providing care to pregnant women in life-threatening circumstances, including treatment for ectopic pregnancies or miscarriages. For avoidance of doubt, VA provides care in the following circumstances.

- **Ectopic Pregnancy.** An ectopic pregnancy is any pregnancy occurring outside the uterine cavity. These are never viable; care for ectopic pregnancies continues to be covered under the Medical Benefits Package.

- **Spontaneous Abortion.** A spontaneous abortion (SAB), also known as a miscarriage, is the spontaneous loss of a fetus before the 20th week of pregnancy. Medically necessary procedures for the management of spontaneous abortion continue to be covered medical benefits.

- **Other Life-Saving Treatment.** Pregnant Veterans may experience serious medical conditions requiring treatment to save the Veteran's life. The exclusion on abortion does not bar care necessary to save a Veteran's life when a Veteran's clinician determines that the care is necessary to save the Veteran's life, even if this requires an intervention that would end the pregnancy. Care in these circumstances is covered under the medical benefits package and should not be delayed.

4. **Informed consent:** The bar on abortion counseling does not bar obtaining informed consent from a patient when life-saving treatment is necessary.

5. Reasonable Accommodation for Moral and Religious Beliefs: Employees may request to opt out of providing, participating in, or facilitating any aspect of clinical care based on their sincerely held moral and religious beliefs, observances, practices, or exercises. Such requests may be referred to as conscientious objections or conscience-based exceptions and will be processed as reasonable accommodations. Guidance is available to process such requests.

6. Action: This memorandum is effective immediately and supersedes all inconsistent policies, guidance, practices, and other documents.

7. Should you have any questions concerning this memorandum, please contact Sundonia Wonnum, Chief Officer, Office of Women's Health 10W, at Sundonia.Wonnum@va.gov

12/22/2025

John Figueroa
Senior Advisor, Performing the Delegable Duties of the Under Secretary for Health

Date