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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Internal Revenue Code of 1986 to allow individuals with direct medical care service arrangement to remain eligible individuals for purposes of health savings accounts, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. ROY introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To amend the Internal Revenue Code of 1986 to allow individuals with direct medical care service arrangement to remain eligible individuals for purposes of health savings accounts, 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 “Direct Medical Care  
5       Freedom Act of 2025”.

1 **SEC. 2. TREATMENT OF DIRECT MEDICAL CARE SERVICE**  
2 **ARRANGEMENTS.**

3 (a) IN GENERAL.—Section 223(c)(1) of the Internal  
4 Revenue Code of 1986 is amended by adding at the end  
5 the following new subparagraph:

6 “(E) TREATMENT OF DIRECT MEDICAL  
7 CARE SERVICE ARRANGEMENTS.—

8 “(i) IN GENERAL.—A direct medical  
9 care service arrangement shall not be  
10 treated as a health plan for purposes of  
11 subparagraph (A)(ii).

12 “(ii) DIRECT MEDICAL CARE SERVICE  
13 ARRANGEMENT.—For purposes of this  
14 paragraph—

15 “(I) IN GENERAL.—The term ‘di-  
16 rect medical care service arrangement’  
17 means, with respect to any individual,  
18 an arrangement under which such in-  
19 dividual is provided medical care pro-  
20 vided by medical care practitioners if  
21 the sole compensation for such care is  
22 a fixed periodic fee.

23 “(II) APPLICATION TO PRIMARY  
24 CARE, SPECIALTY CARE, ETC.—An ar-  
25 rangement shall not fail to be treated  
26 as a direct medical care service ar-

1                   rangement merely because such ar-  
2                   rangement is restricted to any subset  
3                   of medical care or medical care practi-  
4                   tioners.

5                   “(iii)   MEDICAL   CARE   PRACTI-  
6                   TIONER.—For purposes of this paragraph,  
7                   the term ‘medical care practitioner’ means  
8                   an individual who is—

9                               “(I) a physician (as defined in  
10                              section 1861(r)(1) of the Social Secu-  
11                             rity Act), or

12                            “(II) a nurse practitioner, clinical  
13                            nurse specialist, or physician assistant  
14                            (as such terms are defined in section  
15                            1861(aa)(5) of the Social Security  
16                            Act).

17                   “(iv) MEDICAL CARE.—For purposes  
18                   of this paragraph, the term ‘medical care’  
19                   has the meaning given such term in section  
20                   213(d)).”.

21           (b) DIRECT MEDICAL CARE SERVICE ARRANGEMENT  
22 FEES TREATED AS MEDICAL EXPENSES.—Section  
23 223(d)(2)(C) of such Code is amended by striking “or”  
24 at the end of clause (iii), by striking the period at the

1 end of clause (iv) and inserting “, or”, and by adding at  
2 the end the following new clause:

3 “(v) any direct medical care service  
4 arrangement.”.

5 (c) REPORTING OF DIRECT MEDICAL CARE SERVICE  
6 ARRANGEMENT FEES ON W-2.—Section 6051(a) of such  
7 Code is amended by striking “and” at the end of para-  
8 graph (16), by striking the period at the end of paragraph  
9 (17) and inserting “, and”, and by inserting after para-  
10 graph (17) the following new paragraph:

11 “(18) in the case of a direct medical care serv-  
12 ice arrangement (as defined in section  
13 223(c)(1)(E)(ii)) which is provided in connection  
14 with employment, the aggregate fees for such ar-  
15 rangement for such employee.”.

16 (d) EFFECTIVE DATE.—The amendments made by  
17 this section shall apply to months beginning after Decem-  
18 ber 31, 2024, in taxable years ending after such date.