H. R. 4554

To amend title 10, United States Code, to ensure that certain members of the National Guard serving on full-time National Guard duty and dependents remain eligible for the TRICARE program during periods in which the member is responding to a disaster.

IN THE HOUSE OF REPRESENTATIVES

February 12, 2016

Ms. DelBene (for herself, Mr. Palazzo, Mr. Walz, Ms. McSally, Mr. McGovern, Mr. Bishop of Georgia, Mr. Nugent, Mr. Ryan of Ohio, Mrs. Lawrence, Mr. Bridenstine, Ms. Kaptur, Mr. Jones, Mr. Larsen of Washington, Mr. Hastings, Mr. Carney, Mrs. Torres, Mr. Honda, Mr. Reichert, Mr. Austin Scott of Georgia, Mr. Heck of Washington, Mr. Takano, Mr. Serrano, and Ms. McCollum) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to ensure that certain members of the National Guard serving on full-time National Guard duty and dependents remain eligible for the TRICARE program during periods in which the member is responding to a disaster.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. EXTENDED TRICARE PROGRAM COVERAGE

FOR CERTAIN MEMBERS OF THE NATIONAL

GUARD AND DEPENDENTS DURING CERTAIN

DISASTER RESPONSE DUTY.

(a) IN GENERAL.—Chapter 55 of title 10, United

States Code, is amended by inserting after section 1076e

the following new section:

§ 1076f. TRICARE program: extension of coverage

for certain members of the National

Guard and dependents during certain

disaster response duty

“(a) EXTENDED COVERAGE.—During a period in

which a member of the National Guard is performing dis-

aster response duty, the member shall be treated as being

on active duty for a period of more than 30 days for pur-

poses of the eligibility of the member and dependents of

the member for health care benefits under the TRICARE

program if such period immediately follows a period in

which the member served on full-time National Guard

duty under section 502(f) of title 32, including pursuant

to chapter 9 of such title.

“(b) CONTRIBUTION BY STATE.—(1) The Secretary

shall charge a State for the costs of providing coverage

under the TRICARE program to members of the National

Guard of the State and the dependents of the members

pursuant to subsection (a). Such charges shall be paid
from the funds of the State or from any other non-Federal funds.

“(2) Any amounts received by the Secretary under paragraph (1) shall be credited to the appropriation available for the Defense Health Program Account under section 1100 of this title, shall be merged with sums in such Account that are available for the fiscal year in which collected, and shall be available under subsection (b) of such section, including to carry out subsection (a) of this section.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘disaster response duty’ means duty performed by a member of the National Guard in State status pursuant to an emergency declaration by the Governor of the State (or, with respect to the District of Columbia, the mayor of the District of Columbia) in response to a disaster or in preparation for an imminent disaster.

“(2) The term ‘State’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting
after the item relating to section 1076e the following new item:

“1076f. TRICARE program: extension of coverage for certain members of the National Guard and dependents during certain disaster response duty.”.