

106TH CONGRESS
1ST SESSION

H. R. 1547

To amend title 10, United States Code, to make certain improvements with respect to the TRICARE program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1999

Mr. THORNBERRY introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to make certain improvements with respect to the TRICARE program.

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. IMPROVEMENT OF TRICARE PROGRAM.**

4 (a) IMPROVEMENT OF TRICARE PROGRAM.—Chap-
5 ter 55 of title 10, United States Code, is amended by in-
6 serting after section 1097a the following new section:

1 **“§ 1097b. TRICARE: comparability of benefits with**
2 **benefits under Federal Employees Health**
3 **Benefits program; other requirements**
4 **and authorities**

5 “(a) COMPARABILITY OF BENEFITS.—The Secretary
6 of Defense shall, to the maximum extent practicable, en-
7 sure that the health care coverage available through the
8 TRICARE program is substantially similar to the health
9 care coverage available under similar health benefits plans
10 offered under the Federal Employees Health Benefits pro-
11 gram established under chapter 89 of title 5.

12 “(b) PORTABILITY OF BENEFITS.—The Secretary of
13 Defense shall provide that any covered beneficiary enrolled
14 in the TRICARE program may receive benefits under that
15 program at facilities that provide benefits under that pro-
16 gram throughout the various regions of that program.

17 “(c) PATIENT MANAGEMENT.—(1) The Secretary of
18 Defense shall, to the maximum extent practicable, mini-
19 mize the authorization or certification requirements im-
20 posed upon covered beneficiaries under the TRICARE
21 program as a condition of access to benefits under that
22 program.

23 “(2) The Secretary of Defense shall implement, with
24 respect the first two contracts awarded after the date of
25 the enactment of this section to provide managed care sup-
26 port under the TRICARE program, redesigned procedures

1 for payment and processing of claims under such program.
2 Such procedures shall incorporate best industry practices
3 for processing claims for health care services in a sim-
4 plified and expedited manner and shall include electronic
5 claims processing.

6 “(d) AUTHORITY FOR CERTAIN THIRD-PARTY COL-
7 LECTIONS.—(1) A medical treatment facility of the uni-
8 formed services under the TRICARE program may collect
9 from a third-party payer the reasonable charges for health
10 care services described in paragraph (2) that are incurred
11 by the facility on behalf of a covered beneficiary under
12 that program to the extent that the beneficiary would be
13 eligible to receive reimbursement or indemnification from
14 the third-party payer if the beneficiary were to incur such
15 charges on the beneficiary’s own behalf.

16 “(2) The reasonable charges described in this para-
17 graph are reasonable charges for services or care covered
18 by the medicare program under title XVIII of the Social
19 Security Act.

20 “(3) The collection of charges, and the utilization of
21 amounts collected, under this subsection shall be subject
22 to the provisions of section 1095 of this title. The term
23 ‘reasonable costs’, as used in that section shall be deemed
24 for purposes of the application of that section to this sub-

1 section to refer to the reasonable charges described in
2 paragraph (2).

3 “(e) CONSULTATION.—The Secretary of Defense
4 shall carry out any actions under this section after con-
5 sultation with the other administering Secretaries.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of chapter 55 of such title is amended
8 by inserting after the item relating to section 1097a the
9 following new item:

“1097b. TRICARE: comparability of benefits with benefits under Federal Em-
ployees Health Benefits program; other requirements and au-
thorities.”.

10 (c) REPORT ON IMPLEMENTATION.—(1) Not later
11 than 6 months after the date of the enactment of this Act,
12 the Secretary of Defense, in consultation with the other
13 administering Secretaries, shall submit to Congress a re-
14 port assessing the effects of the implementation of the re-
15 quirements and authorities set forth in section 1097b of
16 title 10, United States Code (as added by subsection (a)).

17 (2) The report shall include the following:

18 (A) An assessment of the cost of the implemen-
19 tation of such requirements and authorities.

20 (B) An assessment whether or not the imple-
21 mentation of any such requirements and authorities
22 will result in the utilization by the TRICARE pro-
23 gram of the best industry practices with respect to

1 the matters covered by such requirements and au-
2 thorities.

3 (3) In this subsection, the term “administering Secre-
4 taries” has the meaning given that term in section
5 1072(3) of title 10, United States Code.

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