

106TH CONGRESS  
2D SESSION

# H. R. 3697

To provide for participation of certain Medicare-eligible individuals in  
Department of Defense pharmacy programs.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2000

Mr. VITTER (for himself, Mr. CUNNINGHAM, Mr. HAYES, Mr. KUYKENDALL,  
Mr. TAYLOR of Mississippi, and Mr. MORAN of Virginia) introduced the  
following bill; which was referred to the Committee on Armed Services

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## A BILL

To provide for participation of certain Medicare-eligible  
individuals in Department of Defense pharmacy programs.

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. PARTICIPATION OF MEDICARE-ELIGIBLE BENE-**  
4                               **FICIARIES IN CERTAIN DEPARTMENT OF DE-**  
5                               **FENSE PHARMACY PROGRAMS.**

6       (a) IN GENERAL.—Not later than October 1, 2000,  
7       the Secretary of Defense shall—

8               (1) expand and make permanent the dem-  
9       onstration project for pharmaceuticals by mail estab-  
10      lished under subsection (a) of section 702 of the Na-

1        tional Defense Authorization Act for Fiscal Year  
2        1993 (10 U.S.C. 1079 note) in order to permit indi-  
3        viduals described in subsection (b) worldwide to ob-  
4        tain pharmaceuticals through the project; and

5            (2) modify each managed health care program  
6        which includes a managed care network of commu-  
7        nity retail pharmacies under subsection (b) of such  
8        section 702 to supply prescription pharmaceuticals  
9        to the individuals described in subsection (b) of this  
10       section through such network in the area covered by  
11       such program.

12       (b) ELIGIBLE INDIVIDUALS.—An individual eligible  
13       to obtain pharmaceuticals under this section is an  
14       individual—

15            (1) who is—

16                (A) a member or former member of the  
17                uniformed services described in section 1074(b)  
18                of title 10, United States Code;

19                (B) a dependent of a member described in  
20                subsection (a)(2)(B) or (b) of section 1076 of  
21                that title; or

22                (C) a dependent of a member who died  
23                while on active duty for a period of more than  
24                30 days; and

1           (2) who is entitled to hospital insurance bene-  
2       fits under part A of title XVIII of the Social Secu-  
3       rity Act (42 U.S.C. 1395 et seq.).

4       (c) FEES AND CHARGES.—(1) Subject to paragraph  
5       (2), the amount of the deductible, copayment, annual fee,  
6       or other fee, if any, paid by an eligible individual described  
7       in subsection (b) who obtains a pharmaceutical under this  
8       section through the project referred to in subsection (a)(1)  
9       or a retail pharmacy network referred to in subsection  
10      (a)(2) shall not exceed the amount of the deductible copay-  
11      ment, annual fee, or other fee paid by other persons for  
12      such pharmaceutical through the project or the pharmacy  
13      network, as the case may be.

14      (2) An eligible individual described in subsection (b)  
15      shall not be charged an enrollment fee for participation  
16      in the project or a retail pharmacy network under this sec-  
17      tion.

18      (3) The Secretary of Defense may not establish or  
19      collect any new fee or charge under the project referred  
20      to in subsection (a)(1), or any retail pharmacy network  
21      referred to in subsection (a)(2), by reason of the participa-  
22      tion of eligible individuals described in subsection (b) in  
23      the project or network under this section.

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