

107TH CONGRESS  
1ST SESSION

# H. R. 997

To amend title XVIII of the Social Security Act to waive the part B premium penalty for individuals entitled to TRICARE health benefits as a member or former member of the uniformed services, or dependent of such a member or former member, and to amend title 10, United States Code, to waive the TRICARE requirement for enrollment in Medicare part B in the case of individuals enrolled under the Federal Employees Health Benefits program.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2001

Mrs. MINK of Hawaii introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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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. WAIVER OF MEDICARE PART B LATE ENROLL-**  
 4 **MENT PENALTY FOR INDIVIDUALS ELIGIBLE**  
 5 **FOR TRICARE BENEFITS.**

6 Section 1839(b) of the Social Security Act (42 U.S.C.  
 7 1395r(b)) is amended by inserting after the second sen-  
 8 tence the following new sentence: “The monthly premium  
 9 shall not be increased under this subsection for any month  
 10 in the case of an individual who, for such month, is enti-  
 11 tled to hospital insurance benefits under part A and is  
 12 permitted to be eligible for health benefits under section  
 13 1086 of title 10, United States Code, under subsection  
 14 (d)(2) of such section.”.

15 **SEC. 2. TRICARE WAIVER OF MEDICARE PART B ENROLL-**  
 16 **MENT REQUIREMENT FOR FEHBP-ENROLLED**  
 17 **INDIVIDUALS.**

18 Section 1086(d)(2)(A) of title 10, United States  
 19 Code, as amended by section 712(a) of the Floyd D.  
 20 Spence National Defense Authorization Act for Fiscal  
 21 Year 2001 (as enacted into law by section 1 of Public Law  
 22 106–398), is amended by inserting “or is enrolled in a  
 23 health benefits plan under the Federal Employees Health  
 24 Benefits program under chapter 89 of title 5” before the  
 25 semicolon.

1 **SEC. 3. EFFECTIVE DATE.**

2       The amendments made by this Act take effect on Oc-  
3 tober 1, 2001, and apply to premiums and benefits for  
4 months beginning on or after such date.

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