

109TH CONGRESS
1ST SESSION

H. R. 1244

To amend title 10, United States Code, to provide health care coverage for spouses and children of members of the uniformed services on active duty through the Federal Employees Health Benefits program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2005

Mr. ISRAEL introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Government Reform, 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

A BILL

To amend title 10, United States Code, to provide health care coverage for spouses and children of members of the uniformed services on active duty through the Federal Employees Health Benefits program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. HEALTH CARE COVERAGE FOR SPOUSES AND**
2 **CHILDREN OF MEMBERS OF THE UNIFORMED**
3 **SERVICES THROUGH FEDERAL EMPLOYEES**
4 **HEALTH BENEFITS PROGRAM.**

5 (a) IN GENERAL.—(1) Chapter 55 of title 10, United
6 States Code, is amended by inserting after section 1108
7 the following new section:

8 **“§ 1108a. Health care coverage through Federal Em-**
9 **ployees Health Benefits program for**
10 **spouses and children**

11 “(a) FEHBP OPTION.—The Secretary of Defense,
12 after consulting with the other administering Secretaries,
13 shall enter into an agreement with the Office of Personnel
14 Management under which eligible beneficiaries described
15 in subsection (b) may enroll in health benefits plans of-
16 fered through the Federal Employees Health Benefits pro-
17 gram under chapter 89 of title 5.

18 “(b) ELIGIBLE BENEFICIARIES; COVERAGE.—(1) An
19 eligible beneficiary under this subsection is a member of
20 the uniformed services who is on active duty for a period
21 of more than 30 days with a dependent described in sub-
22 paragraphs (A), (D), or (I) of section 1072(2).

23 “(2) Eligible beneficiaries may enroll in a Federal
24 Employees Health Benefits plan under chapter 89 of title
25 5 under this section for self and family coverage that in-

1 cludes any dependent of the member who is a family mem-
2 ber for purposes of such chapter.

3 “(3) A person eligible for coverage under this sub-
4 section shall not be required to satisfy any eligibility cri-
5 teria specified in chapter 89 of title 5 as a condition for
6 enrollment in health benefits plans offered through the
7 Federal Employees Health Benefits program.

8 “(4) An eligible beneficiary is not eligible to enroll
9 in a Federal Employees Health Benefits plan under this
10 section if a dependent referred to in paragraph (1) of the
11 beneficiary is eligible to enroll in the Federal Employees
12 Health Benefits program as an employee under chapter
13 89 of title 5.

14 “(c) PROHIBITION AGAINST DEPENDENTS’ USE OF
15 MTF’S AND ENROLLMENT UNDER TRICARE.—Depend-
16 ents of covered beneficiaries under this chapter who are
17 provided coverage under the FEHBP shall not be eligible
18 to receive care at a military medical treatment facility or
19 to enroll in a health care plan under the TRICARE pro-
20 gram.

21 “(d) CHARGES.—The Director shall determine total
22 subscription charges for family coverage for eligible bene-
23 ficiaries who enroll in a health benefits plan under chapter
24 89 of title 5 in accordance with this section. The subscrip-
25 tion charges shall include premium charges paid to the

1 plan and amounts described in section 8906(c) of title 5
2 for administrative expenses and contingency reserves.

3 “(e) GOVERNMENT CONTRIBUTIONS.—The Secretary
4 of Defense shall be responsible for the Government con-
5 tribution for an eligible beneficiary who enrolls in a health
6 benefits plan under chapter 89 of title 5 in accordance
7 with this section, except that the amount of the contribu-
8 tion may not exceed the amount of the Government con-
9 tribution which would be payable if the electing beneficiary
10 were an employee (as defined for purposes of such chap-
11 ter) enrolled in the same health benefits plan and level
12 of benefits.”.

13 (2) The table of sections at the beginning of such
14 chapter is amended by inserting after the item relating
15 to section 1108 the following new item:

“1108a. Health care coverage through Federal Employees Health Benefits pro-
gram.”.

16 (b) EFFECTIVE DATE.—Section 1108a of title 10,
17 United States Code, as added by subsection (a), shall take
18 effect six months after the date of the enactment of this
19 Act.

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