

114TH CONGRESS
2D SESSION

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,*

1 **SECTION 1. EXTENDED TRICARE PROGRAM COVERAGE**
2 **FOR CERTAIN MEMBERS OF THE NATIONAL**
3 **GUARD AND DEPENDENTS DURING CERTAIN**
4 **DISASTER RESPONSE DUTY.**

5 (a) IN GENERAL.—Chapter 55 of title 10, United
6 States Code, is amended by inserting after section 1076e
7 the following new section:

8 **“§ 1076f. TRICARE program: extension of coverage**
9 **for certain members of the National**
10 **Guard and dependents during certain**
11 **disaster response duty**

12 “(a) EXTENDED COVERAGE.—During a period in
13 which a member of the National Guard is performing dis-
14 aster response duty, the member shall be treated as being
15 on active duty for a period of more than 30 days for pur-
16 poses of the eligibility of the member and dependents of
17 the member for health care benefits under the TRICARE
18 program if such period immediately follows a period in
19 which the member served on full-time National Guard
20 duty under section 502(f) of title 32, including pursuant
21 to chapter 9 of such title.

22 “(b) CONTRIBUTION BY STATE.—(1) The Secretary
23 shall charge a State for the costs of providing coverage
24 under the TRICARE program to members of the National
25 Guard of the State and the dependents of the members
26 pursuant to subsection (a). Such charges shall be paid

1 from the funds of the State or from any other non-Federal
2 funds.

3 “(2) Any amounts received by the Secretary under
4 paragraph (1) shall be credited to the appropriation avail-
5 able for the Defense Health Program Account under sec-
6 tion 1100 of this title, shall be merged with sums in such
7 Account that are available for the fiscal year in which col-
8 lected, and shall be available under subsection (b) of such
9 section, including to carry out subsection (a) of this sec-
10 tion.

11 “(c) DEFINITIONS.—In this section:

12 “(1) The term ‘disaster response duty’ means
13 duty performed by a member of the National Guard
14 in State status pursuant to an emergency declara-
15 tion by the Governor of the State (or, with respect
16 to the District of Columbia, the mayor of the Dis-
17 trict of Columbia) in response to a disaster or in
18 preparation for an imminent disaster.

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

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of such chapter is amended by inserting

- 1 after the item relating to section 1076e the following new
- 2 item:

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

