

117TH CONGRESS
2D SESSION

S. 5173

To amend title 31 and title 10, United States Code, to address claims of the United States Government relating to certain treatment received by civilians at military medical treatment facilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2022

Ms. WARREN introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 31 and title 10, United States Code, to address claims of the United States Government relating to certain treatment received by civilians at military medical treatment facilities, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Financial Relief for
5 Civilians Treated at Military Hospitals Act”.

1 **SEC. 2. DEBT ARISING FROM TREATMENT AT MILITARY**
 2 **MEDICAL TREATMENT FACILITIES.**

3 Section 3711 of title 31, United States Code, is
 4 amended—

5 (1) in subsection (g)(2)—

6 (A) in subparagraph (A)(v), by striking
 7 “and” at the end;

8 (B) in subparagraph (B), by striking the
 9 period at the end and inserting “; and”; and

10 (C) by adding at the end the following:

11 “(C) to any debt or claim described in sub-
 12 section (j).”; and

13 (2) by adding at the end the following:

14 “(j) The Secretary of Defense or the Secretary of a
 15 military department (as defined in section 101 of title 10)
 16 may not take an action under subsection (a) to collect a
 17 claim arising from covered treatment (as defined in section
 18 1079b(b) of that title) provided at a military medical
 19 treatment facility to a civilian who is not a covered bene-
 20 ficiary (as defined in section 1072 of that title).”.

21 **SEC. 3. LIMITATION ON FEES CHARGED TO CIVILIANS FOR**
 22 **EMERGENCY MEDICAL TREATMENT PRO-**
 23 **VIDED AT MILITARY MEDICAL TREATMENT**
 24 **FACILITIES.**

25 Section 1079b of title 10, United States Code, is
 26 amended—

1 (1) by redesignating subsections (b) and (c) as
 2 subsections (c) and (d), respectively; and

3 (2) by inserting after subsection (a) the fol-
 4 lowing new subsection (b):

5 “(b) LIMITATION ON FEES FOR CERTAIN TREAT-
 6 MENT.—(1) Under the procedures developed under sub-
 7 section (a), a military medical treatment facility may not
 8 charge a civilian who is not a covered beneficiary, or a
 9 third-party payer of such civilian, any fee for covered
 10 treatment provided to such civilian at such facility.

11 “(2) In this subsection:

12 “(A) The term ‘covered treatment’, with respect
 13 to treatment provided to a civilian at a military med-
 14 ical treatment facility, means treatment provided for
 15 a medical emergency or in connection with an emer-
 16 gency inpatient admission.

17 “(B) The terms ‘emergency inpatient admis-
 18 sion’ and ‘medical emergency’ have the meanings
 19 given those terms in section 199.2 of title 32, Code
 20 of Federal Regulations, or successor regulations.

21 “(C) The term ‘third-party payer’ means—

22 “(i) an entity described in section
 23 1095(h)(1) of this title;

1 “(ii) the Medicare program under title
2 XVIII of the Social Security Act (42 U.S.C.
3 1395 et seq.); or

4 “(iii) the Medicaid program under title
5 XIX of such Act (42 U.S.C. 1396 et seq.).”.

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