

AMENDMENT TO RULES COMMITTEE PRINT

118-36

OFFERED BY MR. NEGUSE OF COLORADO

Add at the end of subtitle C of title VII the following:

1 **SEC. 7___.** **REPORT ON ACCESS OF TRICARE BENE-**
2 **FICIARIES TO NETWORK RETAIL PHAR-**
3 **MACIES.**

4 (a) **REPORT REQUIRED.**—Not later than 180 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall submit to Congress a report evaluating
7 beneficiary access to TRICARE network pharmacies
8 under the TPharm5 contract and changes in beneficiary
9 access versus the TPharm4 contract.

10 (b) **ELEMENTS.**—The report required under sub-
11 section (a) shall include the following:

12 (1) An analysis of pharmacy access in rural
13 areas under such contracts, including:

14 (A) The number of TRICARE bene-
15 ficiaries and number of TRICARE network re-
16 tail pharmacies located in rural areas.

1 (B) The average drive time to the nearest
2 TRICARE network retail pharmacy for a bene-
3 ficiary residing in rural areas.

4 (C) The number of beneficiaries who live
5 farther than a 15-minute drive to a TRICARE
6 retail network pharmacy.

7 (D) An assessment of medication compli-
8 ance rates for beneficiaries residing in rural
9 areas for the three years prior to October 24,
10 2022 compared to the period-to-date following
11 October 24, 2022.

12 (2) An analysis of TRICARE retail pharmacy
13 network capabilities under such contracts, including
14 the number of network pharmacies offering—

15 (A) long-term care services;

16 (B) prescription drug compounding serv-
17 ices; and

18 (C) home infusion therapy services.

19 (3) An analysis of affected beneficiaries and
20 their use of the TRICARE Pharmacy program
21 under TPharm4 and TPharm5, including:

22 (A) Data on affected beneficiaries' use of
23 MTF pharmacies, TRICARE mail order pro-
24 gram, Accredo, departed retail pharmacies, net-
25 work retail pharmacies.

1 (B) An assessment of medication compli-
2 ance rates for affected beneficiaries for the
3 three years prior to October 24, 2022 compared
4 to the period-to-date following October 24,
5 2022.

6 (C) Data on affected beneficiaries' use of
7 pharmacies that offer long-term care services,
8 compound pharmacies, home infusion therapy.

9 (D) The number of affected beneficiaries
10 and number of total TRICARE beneficiaries by
11 age group: Under age 18, 18-24, 25-44, 45-64,
12 65-79, 80 and older.

13 (4) An analysis on the effect on long-term care
14 residents under TPharm4 and TPharm5, including:

15 (A) The number of beneficiaries who filled
16 at least one prescription at a pharmacy that
17 provides long-term care services.

18 (B) The number of beneficiaries who filled
19 prescriptions at a single long-term care phar-
20 macy only with no prescriptions filled via mail
21 order, MTF pharmacy, or another retail phar-
22 macy.

23 (5) An analysis of non-network pharmacy use
24 by TRICARE beneficiaries under TPharm4 and
25 TPharm5, disaggregated by rural beneficiaries, non-

1 rural beneficiaries, affected beneficiaries, rural af-
2 fected beneficiaries, and non-rural affected bene-
3 ficiaries:

4 (A) The number of beneficiaries who used
5 a non-network pharmacy.

6 (B) The number of non-network claims
7 submitted.

8 (C) For all non-network claims sub-
9 mitted—

10 (i) the average TRICARE allowed
11 amount per prescription;

12 (ii) the average TRICARE amount
13 paid per prescription; and

14 (iii) the average beneficiary out-of-
15 pocket cost per prescription.

16 (h) DEFINITIONS.—In this section:

17 (1) The term “affected beneficiary” means a
18 beneficiary who filled at least one prescription in the
19 year preceding October 24, 2022 at a departed phar-
20 macy.

21 (2) The term “beneficiary” has the meaning
22 given that term in section 1074g(i) of title 10,
23 United States Code.

24 (3) The term “departed retail pharmacy”
25 means a retail pharmacy that participated in the

1 TRICARE network in September, 2022 but left the
2 network with the transition to the TPharm5 con-
3 tract.

4 (4) The term “network pharmacy” means a re-
5 tail pharmacy described in section
6 1074g(a)(2)(E)(ii) of title 10, United States Code.

7 (5) The term “rural”—

8 (A) with regards to a location, has the
9 meaning given such term in section 343(a) of
10 the Consolidated Farm and Rural Development
11 Act (7 U.S.C. 1991(a)); and

12 (B) with regards to a beneficiary, has the
13 meaning used by the Secretary of Defense in
14 the administration of section 1074g of title 10,
15 United States Code.

16 (6) The term “TPharm4” means the period
17 covered by the 4th Generation pharmacy contract
18 under TRICARE prior to October 24, 2022 when
19 the retail network reduction went into effect.

20 (7) The term “TPharm5” means the period
21 covered by 5th Generation pharmacy contract under
22 TRICARE to date.

