

AMENDMENT TO
RULES COMMITTEE PRINT 118–10
OFFERED BY MR. STEUBE OF FLORIDA

At the beginning of subtitle A of title VII, insert the following new section (and redesignate the following sections accordingly):

1 SEC. 701. ELIGIBILITY FOR TRICARE FOR VETERANS WITH
2 SERVICE-CONNECTED DISABILITIES.

3 (a) IN GENERAL.—

4 (1) ENROLLMENT IN TRICARE SELECT.—Sec-
5 tion 1075 of title 10, United States Code, is amend-
6 ed—

7 (A) in subsection (b)(1)(B), by inserting
8 before the period at the end the following: “,
9 and covered veteran beneficiaries under sub-
10 section (h), other than Medicare-eligible bene-
11 ficiaries described in such subsection (d)(2)”;

12 (B) by redesignating subsection (h) as sub-
13 section (i); and

14 (C) by inserting after subsection (g) the
15 following new subsection:

16 “(h) COVERED VETERAN BENEFICIARIES.—(1) Sub-
17 ject to section 1086(d) of this title, a covered veteran ben-

1 eficiary may elect to enroll in TRICARE Select during the
2 annual open enrollment season of the TRICARE program.

3 “(2) The cost-sharing requirements under TRICARE
4 Select for covered veteran beneficiaries shall be calculated
5 pursuant to subsection (d)(1), regardless of the date of
6 the original enlistment or appointment of the beneficiary
7 in the uniformed services.

8 “(3) A dependent of a covered veteran beneficiary
9 may not enroll in the TRICARE program solely by reason
10 of the covered veteran beneficiary enrolling in the
11 TRICARE program.”.

12 (2) ENROLLMENT IN TRICARE FOR LIFE.—Sec-
13 tion 1086(d) of such title is amended—

14 (A) in paragraph (1), by inserting before
15 the period at the end the following: “ or pursu-
16 ant to section 1075(h) of this title”; and

17 (B) in paragraphs (2) and (4), by inserting
18 “, or section 1075(h) of this title,” after “a
19 person referred to in subsection (c)” both
20 places it appears.

21 (3) DEFINITION.—Section 1072 of such title is
22 amended by adding at the end the following new
23 paragraph:

24 “(16) The term ‘covered veteran beneficiary’
25 means a veteran who—

1 “(A) is eligible to enroll in the system of
2 patient enrollment under paragraph (1), (2), or
3 (3) of section 1705 of title 38; and

4 “(B) is eligible to enroll in the TRICARE
5 program only pursuant to—

6 “(i) section 1075(h) of this title; or

7 “(ii) section 1086(d) of this title by
8 reason of being an individual who would be
9 covered by section 1075(h) but for being a
10 Medicare-eligible beneficiary covered by
11 such section 1086(d).”.

12 (4) ENROLLMENT IN VA HEALTH CARE.—Sec-
13 tion 1705 of title 38, United States Code, is amend-
14 ed by adding at the end the following new sub-
15 section:

16 “(d)(1) A covered veteran beneficiary who enrolls in
17 the TRICARE program may not be concurrently enrolled
18 in the system of patient enrollment under subsection (a),
19 and the Secretary may not furnish medical care to the cov-
20 ered veteran beneficiary under this chapter or other provi-
21 sion of law administered by the Secretary while the cov-
22 ered veteran beneficiary is so enrolled in the TRICARE
23 program.

1 “(2) In this subsection, the terms ‘covered veteran
2 beneficiary’ and ‘TRICARE program’ have the meaning
3 given those terms in section 1072 of title 10.”.

4 (b) MEMORANDUM OF UNDERSTANDING.—The Sec-
5 retary of Veterans Affairs and the Secretary of Defense
6 shall enter into a memorandum of understanding under
7 which the Secretary of Veterans Affairs reimburses the
8 Secretary of Defense for the costs of enrolling covered vet-
9 eran beneficiaries in the TRICARE program pursuant to
10 the amendments made by subsection (a), as jointly deter-
11 mined appropriate by the Secretaries.

12 (c) IMPLEMENTATION.—

13 (1) EFFECTIVE DATE.—The amendments made
14 by this section shall take effect one year after the
15 date of the enactment of this Act.

16 (2) REGULATIONS.—During the one-year period
17 following the date on which the amendments made
18 by this section take effect, the Secretary of Veterans
19 Affairs and the Secretary of Defense shall each pre-
20 scribe regulations to carry out such amendments.

21 (3) PHASE IN.—During the one-year period fol-
22 lowing the date on which the regulations are pre-
23 scribed under paragraph (2), the Secretaries shall
24 phase in the enrollment of covered veteran bene-

1 ficiaries in accordance with the annual open enroll-
2 ment season of the TRICARE program.

3 (4) VA CENTER FOR INNOVATION FOR CARE
4 AND PAYMENT.—The Secretary of Veterans Affairs
5 shall carry out this subsection through the Center
6 for Innovation for Care and Payment of the Depart-
7 ment of Veterans Affairs.

8 (d) REPORTS.—

9 (1) REPORTS ON IMPLEMENTATION.—On a
10 quarterly basis during the two-year period following
11 the date of the enactment of this Act, the Secretary
12 of Veterans Affairs and the Secretary of Defense
13 shall jointly submit to the Committees on Veterans'
14 Affairs and Armed Services of the Senate and the
15 House of Representatives a report on the implemen-
16 tation of this Act and the amendments made by this
17 Act.

18 (2) ANNUAL REPORTS.—Not later than one
19 year after the date on which the final report under
20 paragraph (1) is required to be submitted, and an-
21 nually thereafter, the Secretaries shall jointly submit
22 to the Committees on Veterans' Affairs and Armed
23 Services of the Senate and the House of Representa-
24 tives a report on covered veteran beneficiaries en-
25 rolled in the TRICARE program.

1 (e) DEFINITIONS.—In this section, the terms “cov-
2 ered veteran beneficiary” and “TRICARE program” have
3 the meaning given those terms in section 1072 of title 10,
4 United States Code, as amended by subsection (a).

