AMENDMENT TO RULES COMMITTEE

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OFFERED BY MR. THOMPSON OF MISSISSIPPI

At the end of subtitle A of title VII of the bill, insert the following new section:

SEC. 7. MODIFICATION OF REQUIREMENTS FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES TO ENROLL IN MEDICARE PART B TO BE ELIGIBLE FOR TRICARE FOR LIFE.

(a) TRICARE ELIGIBILITY.—

(1) IN GENERAL.—Subsection (d) of section 1086 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6)(A) The requirement in paragraph (2)(A) to enroll in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) shall not apply to a person described in subparagraph (B) during any month in which such person is not entitled to a benefit described in subparagraph (A) of section 226(b)(2) of the Social Security Act (42 U.S.C. 426(b)(2)) if such person has received the counseling and information under subparagraph (C).
“(B) A person described in this subpara-
graph is a person—

“(i) who is under 65 years of age;

“(ii) who is entitled to hospital insur-
ance benefits under part A of title XVIII
of the Social Security Act pursuant to sub-
paragraph (A) or (C) of section 226(b)(2)
of such Act (42 U.S.C. 426(b)(2));

“(iii) whose entitlement to a benefit
described in subparagraph (A) of such sec-
tion has terminated due to performance of
substantial gainful activity; and

“(iv) who is retired under chapter 61
of this title.

“(C) The Secretary of Defense shall co-
ordinate with the Secretary of Health and
Human Services and the Commissioner of So-
cial Security to notify persons described in sub-
paragraph (B) of, and provide information and
counseling regarding, the effects of not enroll-
ing in the supplementary medical insurance
program under part B of title XVIII of the So-
cial Security Act (42 U.S.C. 1395j et seq.), as
described in subparagraph (A).”
(2) CONFORMING AMENDMENT.—Paragraph (2)(A) of such subsection is amended by striking “is enrolled” and inserting “except as provided by paragraph (6), is enrolled”.

(3) IDENTIFICATION OF PERSONS.—Section 1110a of such title is amended by adding at the end the following new subsection:

“(c) CERTAIN INDIVIDUALS NOT REQUIRED TO ENROLL IN MEDICARE PART B.—In carrying out subsection (a), the Secretary of Defense shall coordinate with the Secretary of Health and Human Services and the Commissioner of Social Security to—

“(1) identify persons described in subparagraph (B) of section 1086(d)(6) of this title; and

“(2) provide information and counseling pursuant to subparagraph (D) of such section.”.

(b) NON-APPLICATION OF MEDICARE PART B LATE ENROLLMENT PENALTY.—Section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) is amended, in the second sentence, by inserting “or months for which the individual can demonstrate that the individual is an individual described in paragraph (6)(B) of section 1086(d) of title 10, United States Code, who is enrolled in the TRICARE program pursuant to such section” after “an individual described in section 1837(k)(3)”.
(c) REPORT.—Not later than October 1, 2024, the
Secretary of Defense, the Secretary of Health and Human
Services, and the Commissioner of Social Security shall
jointly submit to the Committees on Armed Services of
the House of Representatives and the Senate, the Com-
mittee on Ways and Means and the Committee on Energy
and Commerce of the House of Representatives, and the
Committee on Finance of the Senate a report on the im-
plementation of section 1086(d)(6) of title 10, United
States Code, as added by subsection (a). Such report shall
include, with respect to the period covered by the report—

(1) the number of individuals enrolled in
TRICARE for Life who are not enrolled in the sup-
plementary medical insurance program under part B
of title XVIII of the Social Security Act (42 U.S.C.
1395j et seq.) by reason of such section 1086(d)(6);
and

(2) the number of individuals who—

(A) are retired from the Armed Forces
under chapter 61 of title 10, United States
Code;

(B) are entitled to hospital insurance bene-
fits under part A of title XVIII of the Social
Security Act pursuant to receiving benefits for
24 months as described in subparagraph (A) or
(C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)); and

(C) because of such entitlement, are no longer enrolled in TRICARE Standard, TRICARE Prime, TRICARE Extra, or TRICARE Select under chapter 55 of title 10, United States Code.

(d) DEPOSIT OF SAVINGS INTO MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “during and after fiscal year 2021, $0” and inserting “during and after fiscal year 2024, $5,000,000”.

(e) APPLICATION.—The amendments made by subsections (a) and (b) shall apply with respect to a person who, on or after October 1, 2023, is a person described in section 1086(d)(6)(B) of title 10, United States Code, as added by subsection (a).