

**AMENDMENT TO RULES COMMITTEE PRINT 119-8**

**OFFERED BY MR. STEUBE OF FLORIDA**

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

1    **SEC. 7\_\_\_\_. ELIGIBILITY FOR TRICARE FOR VETERANS WITH**  
2                    **SERVICE-CONNECTED DISABILITIES.**

3 (a) IN GENERAL.—

(1) ENROLLMENT IN TRICARE SELECT.—Section 1075 of title 10, United States Code, is amended—

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

(B) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

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

16       “(h) COVERED VETERAN BENEFICIARIES.—(1) Sub-  
17   ject to section 1086(d) of this title, a covered veteran ben-  
18   eficiary may elect to enroll in TRICARE Select during the  
19   annual open enrollment season of the TRICARE program.

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

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

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

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

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

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

22           “(16) The term ‘covered veteran beneficiary’  
23       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).

