

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title 10, United States Code, to eliminate certain health care charges for members of the Selected Reserve eligible for TRICARE Reserve Select, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. BALDWIN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 10, United States Code, to eliminate certain health care charges for members of the Selected Reserve eligible for TRICARE Reserve Select, 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 “Healthcare for Our  
5       Troops Act”.

1 **SEC. 2. ELIMINATION OF CERTAIN HEALTH CARE CHARGES**  
2 **FOR MEMBERS OF THE SELECTED RESERVE.**

3 (a) TRICARE RESERVE SELECT.—Section 1076d of  
4 title 10, United States Code, is amended to read as fol-  
5 lows:

6 **“§ 1076d. TRICARE program: TRICARE Reserve Se-**  
7 **lect coverage for members of the Selected**  
8 **Reserve**

9 “(a) MEMBERS OF SELECTED RESERVE.—

10 “(1) IN GENERAL.—A member of the Selected  
11 Reserve of the Ready Reserve of a reserve compo-  
12 nent of the armed forces is eligible for health bene-  
13 fits under TRICARE Reserve Select as provided in  
14 this section.

15 “(2) TERMINATION OF COVERAGE.—Eligibility  
16 for TRICARE Reserve Select coverage of a member  
17 under this section shall terminate upon the termi-  
18 nation of the member’s service in the Selected Re-  
19 serve.

20 “(b) TRICARE RESERVE SELECT FAMILY COV-  
21 ERAGE.—

22 “(1) IN GENERAL.—While a member of a re-  
23 serve component is covered by TRICARE Reserve  
24 Select under this section, the members of the imme-  
25 diate family of such member are eligible for

1       TRICARE Reserve Select family coverage as de-  
2       pendents of the member.

3           “(2) CONTINUATION OF COVERAGE.—If a mem-  
4       ber of a reserve component dies while in a period of  
5       coverage under this section, the eligibility of the  
6       members of the immediate family of such member  
7       for TRICARE Reserve Select family coverage shall  
8       continue for six months beyond the date of death of  
9       the member.

10       “(c) PREMIUMS.—

11           “(1) NO PREMIUMS FOR INDIVIDUAL COV-  
12       ERAGE.—A member of a reserve component covered  
13       by TRICARE Reserve Select individual coverage  
14       shall pay no premium for such coverage.

15           “(2) FAMILY COVERAGE.—

16           “(A) IN GENERAL.—A member of a re-  
17       serve component covered by TRICARE Reserve  
18       Select under this section shall pay a premium  
19       for any member of the immediate family of  
20       such member covered under TRICARE Reserve  
21       Select family coverage. Such premium shall  
22       apply instead of any enrollment fees required  
23       under section 1075 of this title.

24           “(B) UNIFORM APPLICATION.—The Sec-  
25       retary of Defense shall prescribe for the pur-

1 poses of this section one premium for  
2 TRICARE Reserve Select family coverage of  
3 immediate family members of members of the  
4 reserve components, that shall apply uniformly  
5 to all such immediate family members.

6 “(C) PREMIUM AMOUNT.—

7 “(i) IN GENERAL.—The monthly  
8 amount of the premium in effect for a  
9 month for TRICARE Reserve Select family  
10 coverage under this section shall be the  
11 amount equal to 28 percent of the total  
12 monthly amount determined on an appro-  
13 priate actuarial basis as being reasonable  
14 for that coverage.

15 “(ii) APPROPRIATE ACTUARIAL  
16 BASIS.—The appropriate actuarial basis  
17 for purposes of clause (i) for each calendar  
18 year after calendar year 2009 shall be de-  
19 termined by utilizing the actual cost of  
20 providing benefits under this section to de-  
21 pendents of members of the reserve compo-  
22 nents during the calendar years preceding  
23 such calendar year.

24 “(D) PAYMENT OF PREMIUMS.—

1                   “(i) IN GENERAL.—The premiums for  
2                   TRICARE Reserve Select family coverage  
3                   payable by a member of a reserve compo-  
4                   nent under this subsection may be de-  
5                   ducted and withheld from basic pay pay-  
6                   able to the member under section 204 of  
7                   title 37 or from compensation payable to  
8                   the member under section 206 of such  
9                   title.

10                   “(ii) REQUIREMENTS AND PROCE-  
11                   DURES.—The Secretary shall prescribe the  
12                   requirements and procedures applicable to  
13                   the payment of premiums under this sub-  
14                   section.

15                   “(E) COLLECTION OF PREMIUMS.—  
16                   Amounts collected as premiums under this sub-  
17                   section shall be credited to the appropriation  
18                   available for the Defense Health Program Ac-  
19                   count under section 1100 of this title, shall be  
20                   merged with sums in such account that are  
21                   available for the fiscal year in which collected,  
22                   and shall be available under subsection (b) of  
23                   such section for such fiscal year.

24                   “(d) COST-SHARING AMOUNTS.—

1           “(1) NETWORK INDIVIDUAL COVERAGE.—Ex-  
2           cept as provided in paragraph (2), a beneficiary cov-  
3           ered by TRICARE Reserve Select individual cov-  
4           erage shall pay no charge for any health care service  
5           to which the beneficiary is entitled pursuant to such  
6           coverage.

7           “(2) OUT-OF-NETWORK INDIVIDUAL COV-  
8           ERAGE.—With respect to out-of-network health care  
9           services, a beneficiary covered by TRICARE Reserve  
10          Select individual coverage shall be subject to the  
11          same out-of-network cost-sharing requirements as  
12          those to which beneficiaries described in section  
13          1075(c)(1) of this title in the active-duty family  
14          member category are subject to for the cor-  
15          responding year.

16          “(3) FAMILY COVERAGE.—A beneficiary cov-  
17          ered by TRICARE Reserve Select family coverage  
18          shall be subject to the same cost-sharing require-  
19          ments as those to which beneficiaries described in  
20          section 1075(c)(1) of this title in the active-duty  
21          family member category are subject to for the cor-  
22          responding year.

23          “(e) REGULATIONS.—The Secretary of Defense, in  
24          consultation with the other administering Secretaries,

1 shall prescribe regulations for the administration of this  
2 section.

3 “(f) DEFINITIONS.—In this section:

4 “(1) The terms ‘active-duty family member cat-  
5 egory’, ‘network’, and ‘out-of-network’ have the  
6 meanings given such terms in section 1075(i) of this  
7 title.

8 “(2) The term ‘immediate family’, with respect  
9 to a member of a reserve component, means all of  
10 the member’s dependents described in subpara-  
11 graphs (A), (D), and (I) of section 1072(2) of this  
12 title.

13 “(3) The term ‘TRICARE Reserve Select’  
14 means—

15 “(A) medical care, excluding dental care,  
16 at facilities of the uniformed services to which  
17 a dependent described in section 1076(a)(2) of  
18 this title is entitled; and

19 “(B) health benefits under the TRICARE  
20 Select self-managed, preferred provider network  
21 option under section 1075 of this title made  
22 available to beneficiaries by reason of this sec-  
23 tion and subject to the cost-sharing require-  
24 ments set forth in subsection (d).

1           “(4) The term ‘TRICARE Reserve Select fam-  
2           ily coverage’ means coverage under TRICARE Re-  
3           serve Select of any members of the immediate family  
4           of a member of a reserve component, as described in  
5           subsection (b).

6           “(5) The term ‘TRICARE Reserve Select indi-  
7           vidual coverage’ means coverage under TRICARE  
8           Reserve Select of a member of a reserve component,  
9           as described in subsection (a).”.

10          (b) CONFORMING AMENDMENTS TO TRICARE SE-  
11          LECT.—Paragraph (3) of section 1075(c) of title 10,  
12          United States Code, is amended to read as follows:

13               “(3) With respect to beneficiaries in the reserve  
14               and young adult category—

15                       “(A) for beneficiaries covered by section  
16                       1076e or 1110b of this title, the cost-sharing  
17                       requirements shall be calculated pursuant to  
18                       subsection (d)(1) as if the beneficiary were in  
19                       the active-duty family member category or the  
20                       retired category, as applicable, except that the  
21                       premiums calculated pursuant to section 1076e  
22                       or 1110b of this title shall apply instead of any  
23                       enrollment fee required under this section; and

24                       “(B) for beneficiaries covered by section  
25                       1076d of this title, the cost-sharing require-



1           ments shall be calculated pursuant to sub-  
2           section (d) of such section.”.

1       (c) DEFINITIONS.—In this section, the terms  
2 “TRICARE program” and “TRICARE Reserve Select”  
3 have the meanings given those terms in section 1072 of  
4 title 10, United States Code.