



(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To amend title 10, United States Code, to authorize the Secretary of Defense to temporarily waive cost-sharing amounts under the TRICARE pharmacy benefits program during certain declared emergencies.

IN THE HOUSE OF REPRESENTATIVES

Ms. BLUNT ROCHESTER introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 10, United States Code, to authorize the Secretary of Defense to temporarily waive cost-sharing amounts under the TRICARE pharmacy benefits program during certain declared emergencies.

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 “Help Our Heroes Ac-
5 cess Medicine Act of 2020”.

1 **SEC. 2. TEMPORARY WAIVER OF COST-SHARING AMOUNTS**
2 **UNDER TRICARE PHARMACY BENEFITS PRO-**
3 **GRAM DURING DECLARED EMERGENCY.**

4 (a) TEMPORARY WAIVER.—Section 1074g of title 10,
5 United States Code, is amended—

6 (1) in subsection (a)(6)—

7 (A) in subparagraph (A), by striking “In
8 the case” and inserting “Except as provided in
9 subparagraph (D), in the case”;

10 (B) in subparagraph (B), by striking “For
11 any year” and inserting “Except as provided in
12 subparagraph (D), for any year”; and

13 (C) by adding at the end the following new
14 subparagraph:

15 “(D) During a covered emergency, the Secretary may
16 waive a requirement for eligible covered beneficiaries to
17 pay cost-sharing amounts under this subsection. In deter-
18 mining whether to waive such requirement, the Secretary
19 may consider whether the waiver would—

20 “(i) promote use of the national mail-order
21 pharmacy program by eligible covered beneficiaries;

22 “(ii) reduce movement of eligible covered bene-
23 ficiaries to facilities of the uniformed services;

24 “(iii) promote adherence by eligible covered
25 beneficiaries to policies of the Federal, State, or

1 local government relating to social distancing for re-
2 duced transmission of communicable diseases; or

3 “(iv) facilitate any other policy of the Federal,
4 State, or local government relating to emergency re-
5 sponse during a covered period.”; and

6 (2) in subsection (i), by adding at the end the
7 following new paragraph:

8 “(5) The term ‘covered emergency’ means a pe-
9 riod—

10 “(A) beginning on the date on which the
11 President declares a national emergency pursu-
12 ant to the National Emergencies Act (50
13 U.S.C. 1601 et seq.) and ending on the date of
14 the termination of such emergency; or

15 “(B) beginning on the date on which the
16 Secretary of Health and Human Services de-
17 clares a public health emergency pursuant to
18 section 319 of the Public Health Service Act
19 (42 U.S.C. 247d) and ending on the date of the
20 termination of such emergency.”.

21 (b) APPLICATION.—The amendment made in sub-
22 section (a) shall apply—

23 (1) with respect to purchases under the phar-
24 macy benefits program established under section

1 1047g of title 10, United States Code, occurring on
2 or after the date of the enactment of this Act; and
3 (2) with respect to covered emergencies in effect
4 on or after the date of the enactment of this Act.