

111TH CONGRESS
2D SESSION

S. 3846

To establish a temporary prohibition on termination of coverage under the TRICARE program for age of dependents under the age of 26 years.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2010

Ms. COLLINS (for herself and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To establish a temporary prohibition on termination of coverage under the TRICARE program for age of dependents under the age of 26 years.

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 “Extended TRICARE
5 Coverage for Military Families Now Act”.

1 **SEC. 2. TEMPORARY PROHIBITION ON TERMINATION OF**
2 **COVERAGE UNDER THE TRICARE PROGRAM**
3 **FOR AGE OF DEPENDENTS UNDER THE AGE**
4 **OF 26 YEARS.**

5 (a) TEMPORARY PROHIBITION ON TERMINATION OF
6 COVERAGE.—Notwithstanding any other provision of law,
7 the eligibility of an individual described in subsection (b)
8 for treatment as a dependent under subparagraph (D) or
9 (I) of section 1072(2) of title 10, United States Code, for
10 purposes of the TRICARE program may not, during the
11 period specified in subsection (c), be terminated solely by
12 reason of exceeding an age limit under such subparagraph.

13 (b) COVERED INDIVIDUALS.—An individual described
14 in this subsection is any individual who—

15 (1) qualifies for treatment as a dependent
16 under subparagraph (D) or (I) of section 1072(2) of
17 title 10, United States Code, but for exceeding an
18 age limit under such subparagraph; and

19 (2) has not attained the age of 26 years.

20 (c) PERIOD OF CONTINUATION OF COVERAGE.—The
21 period specified in this subsection is the period that—

22 (1) begins on the date of the enactment of this
23 Act; and

24 (2) ends on the earlier of—

25 (A) the effective date of regulations imple-
26 menting provisions of law extending dependent

1 coverage under the TRICARE program to de-
2 pendent individuals up to the age of 26 years;
3 or

4 (B) September 30, 2011.

5 (d) REENROLLMENT OF CERTAIN PERSONS.—

6 (1) IN GENERAL.—An individual described in
7 paragraph (2) shall, upon the election of the indi-
8 vidual, be treated as an individual to whom sub-
9 sections (a) and (b) apply.

10 (2) COVERED INDIVIDUALS.—An individual de-
11 scribed in this paragraph is an individual whose
12 treatment as a dependent for purposes of the
13 TRICARE program as described in subsection (a)
14 ceased during the period beginning on June 1, 2010,
15 and ending on the date of the enactment of this Act
16 by reason of exceeding an age limit specified in sub-
17 section (a).

18 (3) NATURE OF COVERAGE.—The application of
19 subsections (a) and (b) to an individual under this
20 subsection shall commence on the date of the elec-
21 tion of the individual under paragraph (1). The indi-
22 vidual shall not be eligible for coverage under the
23 TRICARE program as a dependent, nor be subject
24 to any charges for such coverage, for the period be-

1 ginning on June 1, 2010, and ending on the date of
2 such election.

3 (e) TRICARE PROGRAM DEFINED.—In this section,
4 the term “TRICARE program” has the meaning given
5 that term in section 1072(7) of title 10, United States
6 Code.

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