

113TH CONGRESS  
1ST SESSION

# S. 1078

To direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime.

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IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

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

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## A BILL

To direct the Secretary of Defense to provide certain TRICARE beneficiaries with the opportunity to retain access to TRICARE Prime.

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. FUTURE AVAILABILITY OF TRICARE PRIME**  
4 **FOR CERTAIN BENEFICIARIES ENROLLED IN**  
5 **TRICARE PRIME.**

6 Section 732 of the National Defense Authorization  
7 Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.  
8 1816) is amended—

9 (1) by redesignating subsection (b) as sub-  
10 section (c); and

1           (2) by inserting after subsection (a) the fol-  
2           lowing new subsection (b):

3           “(b) ACCESS TO TRICARE PRIME.—

4           “(1) ONE-TIME ELECTION.—Subject to para-  
5           graph (3), the Secretary shall ensure that each af-  
6           fected eligible beneficiary who is enrolled in  
7           TRICARE Prime as of September 30, 2013, may  
8           make a one-time election to continue such enroll-  
9           ment in TRICARE Prime, notwithstanding that a  
10          contract described in subsection (a)(2)(A) does not  
11          allow for such enrollment based on the location in  
12          which such beneficiary resides. The beneficiary may  
13          continue such enrollment in TRICARE Prime so  
14          long as the beneficiary resides in the same ZIP code  
15          as the ZIP code in which the beneficiary resided at  
16          the time of such election.

17          “(2) ENROLLMENT IN TRICARE STANDARD.—If  
18          an affected eligible beneficiary makes the one-time  
19          election under paragraph (1), the beneficiary may  
20          thereafter elect to enroll in TRICARE Standard at  
21          any time in accordance with a contract described in  
22          subsection (a)(2)(A).

23          “(3) RESIDENCE AT TIME OF ELECTION.—An  
24          affected eligible beneficiary may not make the one-  
25          time election under paragraph (1) if, at the time of

1 such election, the beneficiary does not reside in a  
2 ZIP code that is in a region described in subsection  
3 (c)(1)(B).”.

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