

116TH CONGRESS  
2D SESSION

# S. 3580

To require the Comptroller General of the United States to submit to Congress a report assessing the billing practices of the Department of Defense for care received under the TRICARE program and at military medical treatment facilities, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 25, 2020

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To require the Comptroller General of the United States to submit to Congress a report assessing the billing practices of the Department of Defense for care received under the TRICARE program and at military medical treatment facilities, 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 “Department of Defense  
5 Healthcare Billing Report Act”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

1           (1) Through the TRICARE program (as de-  
2           fined in section 1072 of title 10, United States  
3           Code), the Department of Defense provides health  
4           care benefits and services to approximately  
5           9,500,000 beneficiaries.

6           (2) The Department of Defense is not struc-  
7           tured as a typical health care provider, which can  
8           lead to complicated billing practices and strict dead-  
9           lines for members of the Armed Forces, former  
10          members of the Armed Forces, and their depend-  
11          ents, as well as for providers.

12          (3) Numerous findings issued by the Inspector  
13          General of the Department of Defense between 2014  
14          and 2019 describe the third-party collection program  
15          of the Department as inadequately managed, result-  
16          ing in substantial uncollected funds that could be  
17          used to improve the quality of health care at mili-  
18          tary medical treatment facilities.

19          (4) Numerous press reports have found that the  
20          Federal Government aggressively collects unpaid  
21          debts from uninsured or low-income civilian patients  
22          who happen to receive treatment at a military med-  
23          ical treatment facility, even though providing that  
24          treatment often benefits military readiness by pro-  
25          viding experience to military medical professionals.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that it is in the national interest of the United States  
3 to ensure members of the Armed Forces, former members  
4 of the Armed Forces, and their dependents receive high-  
5 quality health care, and that Federal agencies prioritize  
6 fairness and accessibility when administering health care.

7 **SEC. 3. REPORT ON BILLING PRACTICES FOR HEALTH**  
8 **CARE FROM DEPARTMENT OF DEFENSE.**

9 (a) REPORT.—Not later than one year after the date  
10 of the enactment of this Act, the Comptroller General of  
11 the United States shall submit to Congress a report as-  
12 sessing the billing practices of the Department of Defense  
13 for care received under the TRICARE program or at mili-  
14 tary medical treatment facilities.

15 (b) ELEMENTS.—The report required by paragraph  
16 (1) shall include the following:

17 (1) A description of the extent to which data is  
18 being collected and maintained on whether bene-  
19 ficiaries under the TRICARE program have other  
20 forms of health insurance.

21 (2) A description of the extent to which the  
22 Secretary of Defense has implemented the rec-  
23 ommendations of the Inspector General of the De-  
24 partment of Defense to improve collections of third-  
25 party payments for care at military medical treat-

1       ment facilities and a description of the impact such  
2       implementation has had on beneficiaries.

3           (3) A description of the extent to which the  
4       process used by managed care support contractors  
5       under the TRICARE program to adjudicate third-  
6       party liability claims is efficient and effective, includ-  
7       ing with respect to communication with beneficiaries.

8       (c) TRICARE PROGRAM DEFINED.—In this section,  
9       the term “TRICARE program” has the meaning given  
10      that term in section 1072 of title 10, United States Code.

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