

117TH CONGRESS
1ST SESSION

H. R. 3102

To allow certain retiree beneficiaries to reenroll in, and establish monthly enrollment fee payment for, TRICARE Select at any time during 2021, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2021

Mr. ISSA introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To allow certain retiree beneficiaries to reenroll in, and establish monthly enrollment fee payment for, TRICARE Select at any time during 2021, 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 “TRICARE Retiree
5 Protection Act”.

1 **SEC. 2. REENROLLMENT AND ESTABLISHMENT OF MONTH-**
2 **LY ENROLLMENT FEE PAYMENT FOR**
3 **TRICARE SELECT BY CERTAIN RETIREE**
4 **BENEFICIARIES.**

5 (a) IN GENERAL.—If the Secretary of Defense deter-
6 mines, based on an assertion submitted pursuant to sub-
7 section (b)(3), that a covered beneficiary described in sub-
8 section (b) has not received covered notice, such covered
9 beneficiary may, at any time during 2021, reenroll in
10 TRICARE Select.

11 (b) COVERED BENEFICIARIES.—A covered bene-
12 ficiary described in this subsection is any covered bene-
13 ficiary in the retired category who—

14 (1) is enrolled in TRICARE Select as of De-
15 cember 31, 2020;

16 (2) during the 2020 TRICARE Open Season,
17 did not establish monthly enrollment fee payment for
18 TRICARE Select for 2021; and

19 (3) submits to the Secretary an assertion that
20 the covered beneficiary has not received covered no-
21 tice.

22 (c) REENROLLMENT REQUIREMENTS.—

23 (1) IN GENERAL.—A covered beneficiary who
24 reenrolls in TRICARE Select pursuant to subsection
25 (a) shall, at the time of reenrollment—

1 (A) pay a portion of the annual enrollment
2 fee for TRICARE Select for 2021 equal to—

3 (i) the monthly enrollment fee pay-
4 ment for TRICARE Select during 2021
5 applicable to the covered beneficiary; multi-
6 plied by

7 (ii) the number of months in 2021
8 that have elapsed as of the date of re-
9 enrollment; and

10 (B) establish monthly enrollment fee pay-
11 ment for TRICARE Select during 2021 for the
12 remaining months of 2021.

13 (2) PARTIAL MONTH.—For purposes of para-
14 graph (1)(A)(ii), the month in which a covered bene-
15 ficiary reenrolls in TRICARE Select shall be treated
16 as a full month.

17 (d) DEFINITIONS.—In this section:

18 (1) The terms “covered beneficiary” and
19 “TRICARE program” have the meaning given such
20 terms in section 1072 of title 10, United States
21 Code.

22 (2) The term “covered beneficiary in the retired
23 category” means any covered beneficiary enrolled in
24 TRICARE Select in the retired category under sec-
25 tion 1075(b)(1)(B) of title 10, United States Code.

1 (3) The term “covered notice” means notice re-
2 garding the process to enroll in, and establish
3 monthly enrollment fee payment for, TRICARE Se-
4 lect for 2021.

5 (4) The term “TRICARE Select” means the
6 option under the TRICARE program established
7 pursuant to section 1075 of title 10, United States
8 Code.

9 (5) The term “2020 TRICARE Open Season”
10 means the period in 2020 for enrollment in and elec-
11 tion of options regarding participation in the
12 TRICARE program during 2021, namely the period
13 beginning November 9, 2020, and ending December
14 14, 2020.

○