

116TH CONGRESS  
2D SESSION

# H. R. 6573

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

APRIL 21, 2020

Ms. BLUNT ROCHESTER (for herself, Mrs. LURIA, Mr. CARSON of Indiana, Ms. KUSTER of New Hampshire, Mr. RUSH, Mr. SOTO, Mr. CASE, Ms. JACKSON LEE, and Mr. HECK) introduced the following bill; which was referred to the Committee on Armed Services

---

## 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.

○