

107TH CONGRESS
1ST SESSION

H. R. 779

To remove certain restrictions on participation in the demonstration project conducted by the Secretary of Defense to provide health care for Medicare-eligible Department of Defense beneficiaries under the Federal Employees Health Benefits program, and to extend the period for carrying out such project.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2001

Mr. CUNNINGHAM (for himself, Mr. MORAN of Virginia, Mr. WHITFIELD, Mr. SKEEN, Mr. WATTS of Oklahoma, Mr. JENKINS, Mr. HANSEN, Mr. COOKSEY, Mr. CHAMBLISS, Mr. DIAZ-BALART, Mr. BOUCHER, and Mr. FILNER) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To remove certain restrictions on participation in the demonstration project conducted by the Secretary of Defense to provide health care for Medicare-eligible Department of Defense beneficiaries under the Federal Employees Health Benefits program, and to extend the period for carrying out such project.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REMOVAL OF CERTAIN RESTRICTIONS ON PAR-**
2 **TICIPATION BY ELIGIBLE BENEFICIARIES IN**
3 **FEHBP DEMONSTRATION PROJECT.**

4 (a) **REMOVAL OF NUMERICAL RESTRICTIONS.**—Sec-
5 tion 1108 of title 10, United States Code, is amended by
6 striking the second sentence of subsection (a).

7 (b) **REMOVAL OF GEOGRAPHIC RESTRICTIONS.**—
8 Such section is further amended—

9 (1) in subsection (a), by striking “and residing
10 within one of the areas covered by the demonstration
11 project”; and

12 (2) by striking subsection (c).

13 (c) **EXTENSION OF PERIOD FOR PROJECT.**—Sub-
14 section (d)(1) of such section is amended by striking
15 “three” and inserting “five”.

16 (d) **ENROLLMENT PERIODS.**—(1) Subsection (d)(2)
17 of such section is amended by striking “an open enroll-
18 ment period for the year 2000 (conducted in the fall of
19 1999)” and inserting “open enrollment periods for the
20 years 2000 through 2004 (conducted in the fall of the
21 years 1999 through 2003)”.

22 (2) Subsection (f)(1) of such section is amended by
23 striking “who enrolls” and all that follows through “the
24 termination of the project” and inserting “shall be as fol-
25 lows unless the beneficiary disenrolls before the termi-
26 nation of the project:

1 “(A) For an eligible beneficiary who enrolls in
2 the demonstration project during the open enroll-
3 ment period for the year 2000, 5 years.

4 “(B) For an eligible beneficiary who enrolls in
5 the demonstration project during the open enroll-
6 ment period for the year 2001, 4 years.

7 “(C) For an eligible beneficiary who enrolls in
8 the demonstration project during the open enroll-
9 ment period for the year 2002, 3 years.

10 “(D) For an eligible beneficiary who enrolls in
11 the demonstration project during the open enroll-
12 ment period for the year 2003, 2 years.

13 “(E) For an eligible beneficiary who enrolls in
14 the demonstration project during the open enroll-
15 ment period for the year 2004, 1 year.”.

16 (e) USE OF MILITARY MEDICAL TREATMENT FACILI-
17 TIES.—Subsection (e) of such section is amended—

18 (1) by striking “PROHIBITION AGAINST”;

19 (2) by inserting “(1)” before “Covered bene-
20 ficiaries”;

21 (3) by striking “eligible” and inserting “ineli-
22 gible”;

23 (4) by inserting “as a result of participating in
24 the project” after “facility”;

1 (5) by striking “or” and inserting “but shall
2 not be eligible”; and

3 (6) by adding at the end the following new
4 paragraph:

5 “(2) A military medical treatment facility that pro-
6 vides health care to a covered beneficiary enrolled in the
7 demonstration project shall be reimbursed for the cost of
8 providing such health care by the applicable health bene-
9 fits plan under the Federal Employees Health Benefits
10 program.”.

11 (f) CONFORMING AMENDMENTS.—(1) Such section is
12 further amended—

13 (A) by redesignating subsections (d) through (l)
14 as subsections (c) through (k), respectively;

15 (B) in paragraph (1) of subsection (i) (as redesi-
16 gnated by paragraph (1)), by striking “December
17 31, 2002” and inserting “December 31, 2004”; and

18 (C) in subsection (j) (as redesignated by para-
19 graph (1))—

20 (i) by striking “December 31, 2002” and
21 inserting “December 31, 2004”; and

22 (ii) by striking “subsection (j)(2)” and in-
23 serting “subsection (i)(2)”.

24 (2) Section 8906 of title 5, United States Code, is
25 amended—

1 (A) in subsection (b)(4), by striking “subsection
2 (i)” and inserting “subsection (h)”; and

3 (B) in subsection (g)(3), by striking “subsection
4 (i)” and inserting “subsection (h)”.

5 (3) Section 724 of the Strom Thurmond National De-
6 fense Authorization Act for Fiscal Year 1999 (Public Law
7 105–261; 112 Stat. 2069) is amended by striking “subjec-
8 tion (j)” and inserting “subsection (i)”.

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