

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 117-54**  
**OFFERED BY MR. CASTRO OF TEXAS**

At the end of subtitle B of title VII, insert the following new section:

1 **SEC. 7\_\_\_ . IMPROVEMENTS TO PROCESSES TO REDUCE FI-**  
2 **NANCIAL HARM CAUSED TO CIVILIANS FOR**  
3 **CARE PROVIDED AT MILITARY MEDICAL**  
4 **TREATMENT FACILITIES.**

5 (a) **CLARIFICATION OF FEE WAIVER PROCESS.**—Sec-  
6 tion 1079b of title 10, United States Code, is amended—

7 (1) by amending subsection (b) to read as fol-  
8 lows:

9 “(b) **WAIVER OF FEES.**—Each commander (or direc-  
10 tor, as applicable) of a military medical treatment facility  
11 shall issue a waiver for a fee that would otherwise be  
12 charged under the procedures implemented under sub-  
13 section (a) to a civilian provided medical care at the facil-  
14 ity who is not a covered beneficiary if the provision of such  
15 care enhances the knowledge, skills, and abilities of health  
16 care providers, as determined by the respective com-  
17 mander or director.”; and

1           (2) by redesignating subsection (c) as sub-  
2           section (d).

3           (b) MODIFIED PAYMENT PLAN FOR CERTAIN CIVIL-  
4           IANS.—

5           (1) IN GENERAL.—Such section is further  
6           amended—

7           (A) by inserting after subsection (b), as  
8           amended by subsection (a), the following:

9           “(c) MODIFIED PAYMENT PLAN FOR CERTAIN CIVIL-  
10          IANS.—(1)(A) If a civilian specified in subsection (a) is  
11          covered by a covered payer at the time care under this  
12          section is provided, the civilian shall only be responsible  
13          to pay, for any services not covered by such covered payer,  
14          copays, coinsurance, deductibles, or nominal fees.

15          “(B)(i) The Secretary of Defense may bill only the  
16          covered payer for care provided to a civilian described in  
17          subparagraph (A).

18          “(ii) Payment received by the Secretary from the cov-  
19          ered payer of a civilian for care provided under this section  
20          that is provided to the civilian shall be considered payment  
21          in full for such care.

22          “(2) If a civilian specified in subsection (a) does not  
23          meet the criteria under paragraph (1), is underinsured,  
24          or has a remaining balance and is at risk of financial  
25          harm, the Secretary of Defense shall reduce each fee that

1 would otherwise be charged to the civilian under this sec-  
2 tion according to a sliding fee discount program.

3 “(3) If a civilian specified in subsection (a) does not  
4 meet the criteria under paragraph (1) or (2), the Sec-  
5 retary of Defense shall implement an additional cata-  
6 strophic waiver to prevent financial harm.

7 “(4) The modified payment plan under this sub-  
8 section may not be administered by a Federal agency other  
9 than the Department of Defense.”; and

10 (B) by adding at the end the following new  
11 subsection:

12 “(e) DEFINITIONS.—In this section:

13 “(1) The term ‘covered payer’ means a third-  
14 party payer or other insurance, medical service, or  
15 health plan.

16 “(2) The terms ‘third-party payer’ and ‘insur-  
17 ance, medical service, or health plan’ have the mean-  
18 ing given those terms in section 1095(h) of this  
19 title.”.

20 (c) APPLICABILITY.—The amendments made by sub-  
21 sections (a) and (b) shall apply with respect to care pro-  
22 vided on or after the date that is 180 days after the date  
23 of the enactment of this Act.

