# Overview

Currently, under 10 U.S.C. §1076d, federal employees and federal retirees who are eligible for health insurance under the Federal Employees Health Benefits program (FEHBP) are ineligible to enroll in TRICARE Reserve Select (TRS) until 1 January 2030. To our knowledge FEHB eligible federal employees and retirees are the only members of the Selected Reserve not eligible for TRS.

# Problem

Plans and benefits under the FEHBP are substantially more costly for participants when compared with TRICARE Reserve Select (TRS). Although Congress amended §1076d in 2019 to make effected individuals eligible in 2030 that is still 9 years of paying more out of pocket. The table below compares some of the costs of TRICARE Reserve Select to one of the more popular national fee for service plans under the FEHB (Blue Cross/ Blue Shield Standard).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Health Plans** | **Premiums**  **2021** | **Deductibles** | **Co-Pays** | **Catastrophic**  **Caps (annual)** |
|  | Self/ Family | Self/ Family | Out Patient  Surgery | Self/ Family |
| TRICARE  Reserve Select | $47.20/$228.99 | $158.00/ $317.00 | $26.00 | $1058.00 |
| FEHB/ Blue  Cross Standard | $267.48/$650.26 | $350.00/ $700.00 | 15% of  allowed fees | $10,000.00  (PPO) |

# FEHB is much more costly than TRICARE Reserve Select

As the table indicates there is a substantial cost difference between TRICARE and Blue Cross/ Blue Shield. By excluding FEHB eligible Guard and Reserve members from the option of enrolment in TRS until Jan 2030, Congress is costing these members and their families thousands of dollars each year in extra medical costs. In the example above just the extra premium costs will exceed $45,000 and that doesn’t include inflationary increases. If the FEHB were even close to providing the same health care coverage at a similar cost as TRS, this would not be such a pressing issue. But as you can see by the table above this is not the case.

It seems particularly unfair that Guard and Reserve members who are employed by the Federal Government and qualify for FEHBP are denied access to TRICARE Reserve Select while their fellow Guard and Reserve members employed by state and local governments or the private sector are immediately eligible for TRICARE Reserve Select benefits.

All Guard and Reserve members provide the same dedicated military service. Regardless of where these members are employed the access to more affordable health care should be available now. The bill language below does just that.

# A BILL

To amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under [chapter 89](http://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title5-chapter89-front&num=0&edition=prelim) of title 5, United States Code.

*Be it enacted by the Senate and House of Representatives of the United States of America.*

SECTION 1. Short title.

This Act may be cited as the “TRICARE Reserve Select Fairness Act”.

SEC. 2. Modification of eligibility for TRICARE Reserve Select of certain members of the Selected Reserve.

Section 1076d(a) of title 10, United States Code, is amended—

1. in paragraph (1), by striking “(1) Except as provided in paragraph (2), a member” and inserting “A member”; and
2. by striking paragraph (2).