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1074o.	Provision of hyperbaric oxygen therapy for certain members.	1093.	Performance of abortions: restrictions.
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1076d.	TRICARE program: TRICARE Reserve Select coverage for members of the Selected Reserve.	1095d.	TRICARE program: waiver of certain deductibles.
1076e.	TRICARE program: TRICARE Retired Reserve coverage for certain members of the Retired Reserve who are qualified for a non-regular retirement but are not yet age 60.	1095e.	TRICARE program: beneficiary counseling and assistance coordinators.
1076f.	TRICARE program: extension of coverage for certain members of the National Guard and dependents during certain disaster response duty.	1095f.	TRICARE program: referrals and preauthorizations under TRICARE Prime.
1077.	Medical care for dependents: authorized care in facilities of uniformed services.	1095g.	TRICARE program: waiver of recoupment of erroneous payments caused by administrative error.
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1078.	Medical and dental care for dependents: charges.	1097.	Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care.
1078a.	Continued health benefits coverage.	1097a.	TRICARE Prime: automatic enrollments; payment options.
1078b.	Provision of food to certain members and dependents not receiving inpatient care in military medical treatment facilities.	1097b.	TRICARE program: financial management.
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1079b.	Procedures for charging fees for care provided to civilians; retention and use of fees collected.	1098.	Incentives for participation in cost-effective health care plans.
1079c.	Provisional coverage for emerging services and supplies.	1099.	Health care enrollment system.
1080.	Contracts for medical care for spouses and children: election of facilities.	1100.	Defense Health Program Account.
1081.	Contracts for medical care for spouses and children: review and adjustment of payments.	1101.	Resource allocation methods: capitation or diagnosis-related groups.
1082.	Contracts for health care: advisory committees.	1102.	Confidentiality of medical quality assurance records: qualified immunity for participants.
1083.	Contracts for medical care for spouses and children: additional hospitalization.	1103.	Contracts for medical and dental care: State and local preemption.
1084.	Determinations of dependency.	1104.	Sharing of health-care resources with the Department of Veterans Affairs.
1085.	Medical and dental care from another executive department: reimbursement.	1105.	Specialized treatment facility program.
1086.	Contracts for health benefits for certain members, former members, and their dependents.	1106.	Submittal of claims: standard form; time limits.
1086a.	Certain former spouses: extension of period of eligibility for health benefits.	1107.	Notice of use of an investigational new drug or a drug unapproved for its applied use.
1086b.	Prohibition against requiring retired members to receive health care solely through the Department of Defense.	1107a.	Emergency use products.
1087.	Programing facilities for certain members, former members, and their dependents in construction projects of the uniformed services.	1108.	Health care coverage through Federal Employees Health Benefits program: demonstration project.
1088.	Air evacuation patients: furnished subsistence.	1109.	Organ and tissue donor program.
1089.	Defense of certain suits arising out of medical malpractice.	1110.	Anthrax vaccine immunization program; procedures for exemptions and monitoring reactions.
1090.	Identifying and treating drug and alcohol dependence.	1110a.	Notification of certain individuals regarding options for enrollment under Medicare part B.
1090a.	Commanding officer and supervisor referrals of members for mental health evaluations.	1110b.	TRICARE program: extension of dependent coverage.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title X, §1081(a)(13), Aug. 13, 2018, 132 Stat. 1984, inserted period at end of item 1077a.

2017—Pub. L. 115-91, div. A, title VII, §703(a)(2), Dec. 12, 2017, 131 Stat. 1435, added item 1074o.

2016—Pub. L. 114-328, div. A, title VII, §§702(a)(2), 703(a)(2), 704(b), 711(b), 728(b)(2), Dec. 23, 2016, 130 Stat. 2195, 2198, 2201, 2214, 2234, added items 1073c, 1073d, 1076f, and 1077a, and substituted “Recurring reports and publication of certain data” for “Recurring reports” in item 1073b.

Pub. L. 114-328, div. A, title VII, §§701(a)(2), (b)(2), (j)(2), (k), Dec. 23, 2016, 130 Stat. 2184, 2185, 2192, 2193, applicable with respect to the provision of health care under the TRICARE program beginning on Jan. 1, 2018, added items 1075 and 1075a and substituted “TRICARE Reserve Select” for “TRICARE Standard” in item 1076d, “TRICARE Retired Reserve” for “TRICARE Standard” in item 1076e, “TRICARE program” for “CHAMPUS” in item 1079a, and “and preauthorizations under TRICARE Prime” for “for specialty health care” in item 1095f.

2015—Pub. L. 114-92, div. A, title VII, §711(b), Nov. 25, 2015, 129 Stat. 864, added item 1095g.

2014—Pub. L. 113-291, div. A, title VII, §§701(a)(2), 704(b), 711(b), Dec. 19, 2014, 128 Stat. 3408, 3413, 3414, added items 1074n, 1079c, and 1097d.

2011—Pub. L. 112-81, div. A, title VII, §§702(a)(2), 704(b), 711(a)(2), Dec. 31, 2011, 125 Stat. 1471, 1473, 1476, added items 1074m, 1078b, and 1090a.

Pub. L. 111-383, div. A, title VII, §702(a)(2), Jan. 7, 2011, 124 Stat. 4245, added item 1110b.

2009—Pub. L. 111-84, div. A, title VII, §§705(b), 707(b), Oct. 28, 2009, 123 Stat. 2375, 2376, added items 1076e and 1110a.

2008—Pub. L. 110-181, div. A, title XVI, §1617(b), Jan. 28, 2008, 122 Stat. 449, as amended by Pub. L. 110-417, [div. A], title X, §1061(b)(14), Oct. 14, 2008, 122 Stat. 4613, added item 1074f.

2006—Pub. L. 109-364, div. A, title VII, §707(b), Oct. 17, 2006, 120 Stat. 2284, added item 1097c.

Pub. L. 109-364, div. A, title VII, §706(e), Oct. 17, 2006, 120 Stat. 2282, struck out item 1076b “TRICARE program: TRICARE Standard coverage for members of the Selected Reserve” and substituted “TRICARE program: TRICARE Standard coverage for members of the Selected Reserve” for “TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty in support of a contingency operation” in item 1076d, effective Oct. 1, 2007.

Pub. L. 109-163, div. A, title VII, §§701(f)(2), 702(a)(2), Jan. 6, 2006, 119 Stat. 3340, 3342, substituted “TRICARE program: TRICARE Standard coverage for members of the Selected Reserve” for “TRICARE program: coverage for members of the Ready Reserve” in item 1076b and “TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty in support of a contingency operation” for “TRICARE program: coverage for members of reserve components who commit to continued service in the Selected Reserve after release from active duty” in item 1076d.

2004—Pub. L. 108-375, div. A, title V, §555(a)(2), title VI, §607(a)(2), title VII, §§701(a)(2), 733(a)(2), 739(a)(2), title X, §1084(d)(7), Oct. 28, 2004, 118 Stat. 1914, 1946, 1981, 1998, 2002, 2061, added items 1073b, 1074b, 1076d, and 1092a, reenacted item 1076b without change, and struck out item 1075 “Officers and certain enlisted members: subsistence charges”.

2003—Pub. L. 108-136, div. A, title XVI, §1603(b)(2), Nov. 24, 2003, 117 Stat. 1690, added item 1107a.

Pub. L. 108-106, title I, §1115(b), Nov. 6, 2003, 117 Stat. 1218, added item 1076b.

2001—Pub. L. 107-107, div. A, title VII, §§701(a)(2), (f)(2), 731(b), 732(a)(2), 736(c)(2), title X, §1048(a)(10), Dec. 28, 2001, 115 Stat. 1158, 1161, 1169, 1173, 1223, struck out item 1074b “Transitional medical and dental care: members on active duty in support of contingency operations”, transferred item 1074i to appear after item 1074h, and added items 1074j, 1074k, 1079b, and 1086b.

2000—Pub. L. 106-398, §1 [[div. A], title VII, §§706(a)(2), 728(a)(2), 751(b)(2), 758(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-175, 1654A-189, 1654A-194, 1654A-200, added items 1074h, 1074i, 1095f, and 1110.

1999—Pub. L. 106-65, div. A, title VII, §§701(a)(2), 711(b), 713(a)(2), 714(b), 715(a)(2), 716(a)(2), 722(b), Oct. 5, 1999, 113 Stat. 680, 687, 689-691, 695, added items 1073a, 1074g, 1076a, 1095c, 1095d, 1095e, and 1097b and struck out former items 1076a “Dependents’ dental program” and 1076b “Selected Reserve dental insurance”.

1998—Pub. L. 105-261, div. A, title VII, §§711(b), 712(a)(2), 721(a)(2), 734(b)(2), 741(b)(2), Oct. 17, 1998, 112 Stat. 2058, 2059, 2065, 2073, 2074, added items 1094a, 1095b, 1097a, 1108, and 1109.

1997—Pub. L. 105-85, div. A, title VII, §§738(b), 764(b), 765(a)(2), 766(b), Nov. 18, 1997, 111 Stat. 1815, 1826-1828, added items 1074e, 1074f, 1106, and 1107 and struck out former item 1106 “Submittal of claims under CHAMPUS”.

1996—Pub. L. 104-201, div. A, title VII, §§701(a)(2)(B), 703(a)(2), 733(a)(2), Sept. 23, 1996, 110 Stat. 2587, 2590, 2598, substituted “Certain primary and preventive health care services” for “Primary and preventive health care services for women” in item 1074d and added items 1076c and 1079a.

Pub. L. 104-106, div. A, title VII, §§705(a)(2), 735(d)(2), 738(b)(2), Feb. 10, 1996, 110 Stat. 373, 383, added item 1076b and substituted “Performance of abortions: restrictions” for “Restriction on use of funds for abortions” in item 1093 and “Defense Health Program Account” for “Military Health Care Account” in item 1100.

1993—Pub. L. 103-160, div. A, title VII, §§701(a)(2), 712(a)(2), 714(b)(2), 716(a)(2), Nov. 30, 1993, 107 Stat. 1686, 1689, 1690, 1692, added item 1074d, substituted “Personal services contracts” for “Contracts for direct health care providers” in item 1091 and “Resource allocation methods: capitation or diagnosis-related groups” for “Diagnosis-related groups” in item 1101, added item 1105, and struck out former item 1105 “Issuance of non-availability of health care statements”.

1992—Pub. L. 102-484, div. D, title XLIV, §4408(a)(2), Oct. 23, 1992, 106 Stat. 2712, added item 1078a.

1991—Pub. L. 102-190, div. A, title VI, §640(b), title VII, §§715(b), 716(a)(2), Dec. 5, 1991, 105 Stat. 1385, 1403, 1404, added item 1074b, redesignated former item 1074b as 1074c, and added items 1105 and 1106.

1990—Pub. L. 101-510, div. A, title VII, §713(d)(2)(3), Nov. 5, 1990, 104 Stat. 1584, substituted “Health care services incurred on behalf of covered beneficiaries: collection from third-party payers” for “Collection from third-party payers of reasonable inpatient hospital care costs incurred on behalf of retirees and dependents” in item 1095.

1989—Pub. L. 101-189, div. A, title VII, §§722(b), 731(b)(2), Nov. 29, 1989, 103 Stat. 1478, 1482, added items 1086a and 1104.

1987—Pub. L. 100-180, div. A, title VII, §725(a)(2), Dec. 4, 1987, 101 Stat. 1116, added item 1103.

Pub. L. 100-26, §7(e)(2), Apr. 21, 1987, 101 Stat. 281, redesignated item 1095 “Medical care: members held as captives and their dependents” as item 1095a.

1986—Pub. L. 99-661, div. A, title VI, §604(a)(2), title VII, §§701(a)(2), 705(a)(2), Nov. 14, 1986, 100 Stat. 3875, 3897, 3904 substituted “active duty for a period of more than 30 days” for “active duty; injuries, diseases, and illnesses incident to duty” in item 1074a and added items 1096 to 1102.

Pub. L. 99-399, title VIII, §801(c)(2), Aug. 27, 1986, 100 Stat. 886, added item 1095 “Medical care: members held as captives and their dependents”.

Pub. L. 99-272, title II, §2001(a)(2), Apr. 7, 1986, 100 Stat. 101, added item 1095 “Collection from third-party payers of reasonable inpatient hospital care costs incurred on behalf of retirees and dependents”.

1985—Pub. L. 99-145, title VI, §§651(a)(2), 653(a)(2), Nov. 8, 1985, 99 Stat. 656, 658, added items 1076a and 1094.

1984—Pub. L. 98-525, title VI, §631(a)(2), title XIV, §1401(e)(2)(B), (5)(B), Oct. 19, 1984, 98 Stat. 2543, 2616, 2618, substituted in item 1074a “Medical and dental care: members on duty other than active duty; injuries, diseases, and illnesses incident to duty” for “Medical and dental care for members of the uniformed services for injuries incurred or aggravated while traveling to

and from inactive duty training” and added items 1074b and 1093.

1983—Pub. L. 98–94, title IX, §§932(a)(2), 933(a)(2), title X, §1012(a)(2), title XII, §1268(5)(B), Sept. 24, 1983, 97 Stat. 650, 651, 665, 706, added items 1074a, 1091, and 1092, and struck out “; reports” at end of item 1081.

1982—Pub. L. 97–295, §1(15)(B), Oct. 12, 1982, 96 Stat. 1290, added item 1090.

1980—Pub. L. 96–513, title V, §511(34)(D), Dec. 12, 1980, 94 Stat. 2923, in items 1071 and 1073 substituted “this chapter” for “sections 1071–1087 of this title”, and in item 1086 substituted “benefits” for “care”.

1976—Pub. L. 94–464, §1(b), Oct. 8, 1976, 90 Stat. 1986, added item 1089.

1970—Pub. L. 91–481, §2(2), Oct. 21, 1970, 84 Stat. 1082, added item 1088.

1966—Pub. L. 89–614, §2(9), Sept. 30, 1966, 80 Stat. 866, substituted “1087” for “1085” in items 1071 and 1073, “Medical care” and “authorized care in facilities of uniformed services” for “Medical and dental care” and “specific inclusions and exclusions” in item 1077, “Contracts for health care” for “Contracts for medical care for spouses and children” in item 1082, and added items 1086 and 1087.

1965—Pub. L. 89–264, §2, Oct. 19, 1965, 79 Stat. 989, substituted “executive department” for “uniformed service” in item 1085.

1958—Pub. L. 85–861, §1(25)(A), (C), Sept. 2, 1958, 72 Stat. 1445, 1450, substituted “Medical and Dental Care” for “Voting by Members of Armed Forces” in heading of chapter, and substituted items 1071 to 1085 for former items 1071 to 1086.

§ 1071. Purpose of this chapter

The purpose of this chapter is to create and maintain high morale in the uniformed services by providing an improved and uniform program of medical and dental care for members and certain former members of those services, and for their dependents.

(Added Pub. L. 85–861, §1(25)(B), Sept. 2, 1958, 72 Stat. 1445; amended Pub. L. 89–614, §2(1), Sept. 30, 1966, 80 Stat. 862; Pub. L. 96–513, title V, §511(34)(A), (B), Dec. 12, 1980, 94 Stat. 2922.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1071	37:401.	June 7, 1956, ch. 374, §101, 70 Stat. 250.

The words “and certain former members” are inserted to reflect the fact that many of the persons entitled to retired pay are former members only. The words “and dental” are inserted to reflect the fact that members and, in certain limited situations, dependents are entitled to dental care under sections 1071–1085 of this title.

PRIOR PROVISIONS

A prior section 1071, act Aug. 10, 1956, ch. 1041, 70A Stat. 81, which stated the purpose of former sections 1071 to 1086 of this title, and provided for their construction, was repealed by Pub. L. 85–861, §36B(5), Sept. 2, 1958, 72 Stat. 1570, as superseded by the Federal Voting Assistance Act of 1955 which was classified to subchapter I–D (§1973cc et seq.) of chapter 20 of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 99–410, title II, §203, Aug. 28, 1986, 100 Stat. 930.

AMENDMENTS

1980—Pub. L. 96–513 substituted “Purpose of this chapter” for “Purpose of sections 1071–1087 of this title” in section catchline, and substituted reference to this chapter for reference to sections 1071–1087 of this title in text.

1966—Pub. L. 89–614 substituted “1087” for “1085” in section catchline and text.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96–513, set out as a note under section 101 of this title.

EFFECTIVE DATE OF 1966 AMENDMENT

Pub. L. 89–614, §3, Sept. 30, 1966, 80 Stat. 866, provided that: “The amendments made by this Act [see Short Title of 1966 Amendment note below] shall become effective January 1, 1967, except that those amendments relating to outpatient care in civilian facilities for spouses and children of members of the uniformed services who are on active duty for a period of more than 30 days shall become effective on October 1, 1966.”

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110–181, div. A, title XVI, §1601, Jan. 28, 2008, 122 Stat. 431, provided that: “This title [enacting sections 1074l, 1216a, and 1554a of this title, amending sections 1074, 1074f, 1074i, 1145, 1201, 1203, 1212, and 1599c of this title and section 6333 of Title 5, Government Organization and Employees, and enacting provisions set out as notes under this section, sections 1074, 1074f, 1074i, 1074l, 1212, and 1554a of this title, and section 6333 of Title 5] may be cited as the ‘Wounded Warrior Act’.”

SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100–180, div. A, title VII, §701, Dec. 4, 1987, 101 Stat. 1108, provided that: “This title [enacting sections 1103, 2128 to 2130 [now 16201 to 16203], and 6392 of this title, amending sections 533, 591, 1079, 1086, 1251, 2120, 2122, 2123, 2124, 2127, 2172 [now 16302], 3353, 3855, 5600, 8353, and 8855 of this title, section 302 of Title 37, Pay and Allowances of the Uniformed Services, and section 3809 of Title 50, War and National Defense, enacting provisions set out as notes under sections 1073, 1074, 1079, 1092, 1103, 2121, 2124, 12201, and 16201 of this title, amending provisions set out as notes under sections 1073 and 1101 of this title, and repealing provisions set out as notes under sections 2121 and 2124 of this title] may be cited as the ‘Military Health Care Amendments of 1987’.”

SHORT TITLE OF 1966 AMENDMENT

Pub. L. 89–614, §1, Sept. 30, 1966, 80 Stat. 862, provided: “That this Act [enacting sections 1086 and 1087 of this title, amending this section and sections 1072 to 1074, 1076 to 1079, 1082, and 1084 of this title, and enacting provisions set out as a note under this section] may be cited as the ‘Military Medical Benefits Amendments of 1966’.”

MEDICAL SIMULATION TECHNOLOGY AND LIVE TISSUE TRAINING

Pub. L. 115–232, div. A, title VII, §718, Aug. 13, 2018, 132 Stat. 1816, provided that:

“(a) IN GENERAL.—

“(1) USE OF SIMULATION TECHNOLOGY.—Except as provided by paragraph (2), the Secretary of Defense shall use medical simulation technology, to the maximum extent practicable, before the use of live tissue training to train medical professionals and combat medics of the Department of Defense.

“(2) DETERMINATION.—The use of live tissue training within the Department of Defense may be used as determined necessary by the medical chain of command.

“(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act [Aug. 13, 2018], the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff and the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate on the use and benefit of medical simulation technology and live tissue training