

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4887

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## AN ACT

To amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

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. SHORT TITLE.**

2 This Act may be cited as the “TRICARE Affirmation  
3 Act”.

4 **SEC. 2. TREATMENT OF DEPARTMENT OF DEFENSE**  
5 **HEALTH COVERAGE AS MINIMAL ESSENTIAL**  
6 **COVERAGE.**

7 (a) IN GENERAL.—Section 5000A(f)(1)(A) of the In-  
8 ternal Revenue Code of 1986, as added by section 1501(b)  
9 of the Patient Protection and Affordable Care Act, is  
10 amended—

11 (1) by striking clause (iv) and inserting the fol-  
12 lowing new clause:

13 “(iv) medical coverage under chapter  
14 55 of title 10, United States Code, includ-  
15 ing coverage under the TRICARE pro-  
16 gram;”;

17 (2) by striking “or” at the end of clause (v);

18 (3) by striking the period at the end of clause  
19 (vi) and inserting “; or”; and

20 (4) by inserting after clause (vi) the following  
21 new clause:

22 “(vii) the Nonappropriated Fund  
23 Health Benefits Program of the Depart-  
24 ment of Defense, established under section  
25 349 of the National Defense Authorization

1 Act for Fiscal Year 1995 (Public Law  
2 103–337; 10 U.S.C. 1587 note).”.

3 (b) EFFECTIVE DATE.—The amendments made by  
4 this section shall take effect as if included in section  
5 1501(b) of the Patient Protection and Affordable Care Act  
6 and shall be executed immediately after the amendments  
7 made by such section 1501(b).

Passed the House of Representatives March 20,  
2010.

Attest:

*Clerk.*

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