



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1200

18 JUN 1997

**MEMORANDUM FOR:** SECRETARY OF THE ARMY  
SECRETARY OF THE NAVY  
SECRETARY OF THE AIR FORCE

**SUBJECT:** Policy For The Newborns' and Mothers' Health Protection Act of 1996

In September 1996, Congress passed and President Clinton signed into law the Newborns' and Mothers' Health Protection Act of 1996, designed to guarantee adequate coverage for postpartum stays for mothers and their newborns. While the law goes into effect January 1, 1998, it is DoD policy, effective immediately, to adopt the standards contained in the law for care provided both in our military treatment facilities and in civilian hospitals through TRICARE. Consistent with the new law:

1. Maternity coverage in the Military Health Services System will be available for a minimum of 48 hours of inpatient care following a normal vaginal delivery and a minimum of 96 hours of inpatient length of stay following a caesarean delivery. No additional approval or authorization is needed for lengths of stay that fall within these timeframes.
2. The length of post-delivery hospital stay should be based on the unique characteristics of each mother and her newborn child, taking into consideration the health of the mother, the health and stability of the newborn, the ability and confidence of the mother and father to care for their newborn, the adequacy of support systems at home, and the access of the mother and her newborn to appropriate follow-up health care.
3. The timing of the discharge of a mother and her newborn child from the hospital may be less than 48 or 96 hours when the discharge decision is made by the attending provider in consultation with the mother.
4. This policy does not require a beneficiary to give birth in a hospital or to stay in the hospital for a fixed period of time following the birth of her child.

Please take immediate steps to implement this policy in military treatment facilities. The TRICARE Support Office will do so with respect to civilian facilities under TRICARE/CHAMPUS. Our point of contact is Major Kathy Larkin at (703) 695-3323.

*Edward D. Martin*

Edward D. Martin, M.D.  
Acting Assistant Secretary of Defense

cc: Surgeons General  
TRICARE Lead Agents  
TRICARE Support Office

**HA POLICY 97-054**