



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

HEALTH AFFAIRS

FEB 6 2006

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (M&RA)  
ASSISTANT SECRETARY OF THE NAVY (M&RA)  
ASSISTANT SECRETARY OF THE AIR FORCE (MRAI&E)  
HEALTH AND SAFETY DIRECTOR OF THE COAST  
GUARD

SUBJECT: Waiver of Limitation on Preventive Eye Examinations for TRICARE Prime Enrollees Affected by the Hurricane Disasters

In August and September 2005, powerful hurricanes hit the Gulf Coast region of the United States. Because of the fierce nature of these storms, many fled with little opportunity to secure their homes. These hurricanes caused massive destruction of property resulting in the uprooting of thousands of people in the affected areas. TRICARE beneficiaries were among those affected by the hurricane disasters. Some had eyeglasses lost or destroyed and needed an eye exam to obtain new prescriptions to replace them, but had exhausted their eye exam benefit. In some cases, their health care records were lost, destroyed, or otherwise inaccessible.

TRICARE provides two different eye examination benefits. First, active duty family members are entitled by statute to only one routine eye exam per calendar year (10USC1079(a)(3), 32 CFR 199.4(c)(2)(xvi), and TPM Ch. 7, Sect. 6.1), whether or not they are enrolled in TRICARE Prime (active duty family members not enrolled in TRICARE Prime pay a cost share for the covered eye exam). Waiver of this once per year benefit would require legislative action and will not be pursued at this time. However, TRICARE regulation also allows one preventive eye exam every two years for all TRICARE Prime enrollees age three and older (32 CFR 199.18 and TPM Ch. 7, Sect. 2.2).

As a result of these extraordinary circumstances, and in order to provide needed assistance to TRICARE beneficiaries affected by these disasters, it is necessary for the Department of Defense (DoD) to make a limited, temporary change to the existing rule for eye examinations under TRICARE Prime. Under the Administrative Procedures Act outlined in Title 5 of the United States Code, an exception to formal rule-making procedures exists when unusual circumstances make the formal process impracticable, unnecessary, or contrary to public interest. Given the national emergency created by the hurricanes and the need to respond quickly to the medical needs of TRICARE

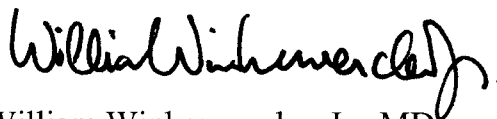
**HA POLICY: 06-004**

beneficiaries in the affected areas, the TRICARE regulation is temporarily amended under the Act through issuance of this policy memorandum.

DoD hereby temporarily waives the preventive eye exam limitation for all TRICARE Prime enrollees over the age of three who require an eye exam to replace eyeglasses or obtain a new prescription that was lost or destroyed during the hurricane disasters. This waiver applies only when affected TRICARE Prime enrollees have reached the eye exam limitation described above. Normal TRICARE Prime preventive care cost-sharing rules apply.

The waiver described herein applies to the areas affected by the hurricane disasters beginning August 24, 2005 for Florida; August 29, 2005 for Alabama, Louisiana and Mississippi; and September 2, 2005 for Texas. The expiration date for all states was October 31, 2005.

I request wide dissemination of this information. My point of contact for this matter is Ms. Barbara L. Matthews who can be reached at (303) 676-3558 or [Barbara.matthews@tma.osd.mil](mailto:Barbara.matthews@tma.osd.mil).



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