

CHARTER
UNIFORM FORMULARY BENEFICIARY ADVISORY PANEL

1. Committee's Official Designation: The Committee will be known as the Uniform Formulary Beneficiary Advisory Panel ("the Panel").
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 1074g(c) and in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C., Appendix) and 41 C.F.R. § 102-3.50(a), established the statutory Panel.
3. Objectives and Scope of Activities: The Panel shall provide advice and recommendations on the development of the uniform formulary, as set out in paragraph four below.
4. Description of Duties: As directed by 10 U.S.C. 1074g(c)(1), the Panel shall review and comment on the development of the uniform formulary. The Panel will meet after each Pharmacy and Therapeutics Committee quarterly meeting.
5. Agency or Official to Whom the Committee Reports: The Panel reports to the Secretary of Defense and/or the Deputy Secretary of Defense through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), the Assistant Secretary of Defense for Health Affairs, and the Director, Defense Health Agency (DHA). In accordance with Department of Defense (DoD) policy, the Director, DHA may act upon the Panel's advice and recommendations.
6. Support: The DoD, through the Office of the USD(P&R) and the DHA, shall support the Panel and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act (5 U.S.C. § 552b) ("the Sunshine Act), governing Federal statutes and regulations, and DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meeting and contract support, is approximately \$72,500. The estimated annual personnel cost to the DoD is 0.35 full-time equivalent.
8. Designated Federal Officer: The Panel's Designated Federal Officer (DFO) pursuant to DoD policy, shall be a full-time or permanent part-time DoD officer or employee, designated in accordance with established DoD policies and procedures.

The Panel's DFO is required to be in attendance at all meetings of the Panel and any subcommittees for the entire duration of each and every meeting. However, in the absence of the Panel's DFO, a properly approved Alternate DFO, duly designated to the Panel in accordance with established DoD policies and procedures, must attend the entire duration of all Panel or subcommittee meetings.

The DFO, or the Alternate DFO, calls all Panel and subcommittee meetings; prepares and approves all meeting agendas; and adjourns any meeting when the DFO, or the Alternate

DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Panel meets at the call of the Panel's DFO, in consultation with the Panel's Chair. The estimated number of Panel meetings is four per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Panel terminates upon rescission of 10 U.S.C. § 1074g(c).
12. Membership and Designation: Pursuant to 10 U.S.C. § 1074g(c)(2), the Panel shall be composed of no more than 15 members. The Panel shall include members that represent:
 - a. Non-governmental organizations and associations that represent the views and interests of a large number of eligible covered beneficiaries;
 - b. Contractors responsible for the TRICARE retail pharmacy program;
 - c. Contractors responsible for the national mail-order pharmacy program; and
 - d. TRICARE network providers.

The appointment of Panel members will be authorized by the Secretary of Defense or the Deputy Secretary of Defense and administratively certified by the USD(P&R), as the Sponsor, for a term of service of one-to-four years, with annual renewals, in accordance with DoD policies and procedures. Members of the Panel who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants, pursuant to 5 U.S.C. § 3019, to serve as special government employees (SGE) members. Panel members who are full-time or permanent part-time Federal officers or employees will be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as regular government employee (RGE) members. No member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Panel, to include subcommittees, or serve on more than two DoD federal advisory committees at on time.

Consistent with Deputy Secretary of Defense policy, the USD(P&R) may appoint the Panel's Co-Chairs from among the membership previously approved in accordance with DoD policies and procedures for a term of service not to exceed the member's approved term of service.

All members of the Panel are appointed to provide advice on the basis of their best judgement without representing any particular points of view and in a manner that is free from conflict of interest.

Except for reimbursement of official Panel-related travel and per diem, Panel members serve without compensation.

13. Subcommittees: The DoD has determined that subcommittees will not be authorized for the Panel.
14. Recordkeeping: The records of the Panel and its subcommittees shall be handled in accordance with General Record Schedule 6.2 Federal Advisory Committee Records, or other approved agency records disposition schedule, as well as the appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552).
15. Filing Date: August 1, 2018