

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 this statutory advisory committee.
3. Objectives and Scope of Activities: The Panel provides advice and recommendations on the development of the uniform formulary.
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 the Deputy Secretary of Defense, the Chief Management Officer of the Department of Defense (CMO), through the USD(P&R), the Assistant Secretary of Defense for Health Affairs, and the Director, Defense Health Agency (DHA). The Director, DHA, pursuant to Department of Defense (DoD) policies and procedures, 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 provide support for the Panel and shall ensure compliance with requirements of the FACA, the Government in the Sunshine Act ("the Sunshine Act") (5 U.S.C. § 552b, 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, meetings, and contract support, are approximately \$81,750.00. 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) shall be a full-time or permanent part-time DoD civilian officer or employee, or active duty member of the Armed Forces, designated in accordance with DoD policies and procedures.

The Panel's DFO is required to attend all Panel and subcommittee meetings 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 DoD policy and procedures, shall attend the entire duration of all Panel and subcommittee meetings.

The DFO, or the Alternate DFO, shall call all of the Panel and subcommittee meetings; prepare and approve all meeting agendas; and adjourn 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 will meet at the call of the Panel's DFO, in consultation with the Panel's Chair and the USD(P&R). The estimated number of meetings is four per year.

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10. Duration: The need for this advisory function is on a continuing basis; however, it 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 and 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 shall be approved by the Secretary of Defense, the Deputy Secretary of Defense or the CMO (“the DoD Appointing Authorities”), for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member, unless approved by the DoD Appointing Authorities, may serve more than two consecutive terms of service on the Panel, to include its subcommittees, or serve on more than two DoD federal advisory committees at one time.

Panel members who are not full-time or permanent part-time federal civilian officers or employees, or active duty members of the Armed Forces, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee members. Panel members who are full-time or permanent part-time federal civilian officers or employees, or active duty members of the Armed Forces, shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee members.

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

The DoD Appointing Authorities shall appoint the Panel’s leadership from among the membership previously appointed in accordance with DoD policy and procedures, for a one-to-two year term of service, with annual renewal, which shall not exceed the member’s approved Panel appointment.

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 managed in accordance with General Records 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 will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date: August 1, 2020