

**SEC. 712. COST-SHARING RATES FOR THE PHARMACY BENEFITS PROGRAM
OF THE TRICARE PROGRAM.**

(a) IN GENERAL.—Section 1074g(a)(6) of title 10, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph (A):

“(A) The Secretary, in the regulations prescribed under subsection (h), shall establish cost-sharing requirements under the pharmacy benefits program. In accordance with subparagraph (C), such cost-sharing requirements shall consist of the following:

“(i) With respect to each supply of a prescription covering not more than 30 days that is obtained by a covered beneficiary under the TRICARE retail pharmacy program—

“(I) in the case of generic agents, \$5;

“(II) in the case of formulary agents, \$17; and

“(III) in the case of nonformulary agents, \$44.

“(ii) With respect to each supply of a prescription covering not more than 90 days that is obtained by a covered beneficiary under the national mail-order pharmacy program—

“(I) in the case of generic agents, \$0;

“(II) in the case of formulary agents, \$13; and

“(III) in the case of nonformulary agents, \$43.”; and

(2) by adding at the end the following new subparagraph:

“(C)(i) Beginning October 1, 2013, the amount of any increase in a cost-sharing amount specified in subparagraph (A) in a year may not exceed the amount equal to the percentage of such cost-sharing amount at the time of such increase equal to the percentage by which retired pay is increased under section 1401a of this title in that year.

“(ii) If the amount of the increase otherwise provided for a year by clause (i) is less than \$1, the increase shall not be made for such year, but shall be carried over to, and accumulated with, the amount of the increase for the subsequent year or years and made when the aggregate amount of increases carried over under this clause for a year is \$1 or more.

“(iii) The provisions of this subparagraph shall not apply to any increase in cost-sharing amounts described in clause (i) that is made by the Secretary of Defense on or after October 1, 2022. The Secretary may increase copayments, as considered appropriate by the Secretary, beginning on October 1, 2022.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The cost-sharing requirements under subparagraph (A) of section 1074g(a)(6) of title 10, United States Code, as amended by subsection (a)(1), shall apply with respect to prescriptions obtained under the TRICARE pharmacy benefits program on or after such date as the Secretary of Defense shall specify, but not later than the date that is 45 days after the date of the enactment of this Act.

(2) FEDERAL REGISTER.—The Secretary shall publish notice of the effective date of the cost-sharing requirements specified under paragraph (1) in the Federal Register.