OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1200

HEALTH AFFAIRS

SEP 25 2009

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE NAVY (MANPOWER AND RESERVE AFFAIRS)
ASSISTANT SECRETARY OF THE AIR FORCE (MANPOWER AND RESERVE AFFAIRS)
DIRECTOR, JOINT STAFF
DIRECTOR, TRICARE MANAGEMENT ACTIVITY

SUBJECT: Temporary Suspension of Referral and Authorization Requirement for H1N1 Immunizations

The Code of Federal Regulations requirement that a TRICARE Prime enrollee obtain a referral from the primary care manager (PCM) to receive the H1N1 immunization from a nonnetwork, TRICARE-authorized provider is temporarily suspended from October 1, 2009, through April 30, 2010. Our goal is to reduce any impediments our TRICARE Prime enrollees may encounter in obtaining the H1N1 immunization. We expect suppliers will begin shipping the H1N1 vaccine to providers in October 2009.

The Centers for Disease Control and Prevention has determined that the H1N1 virus is contagious and is spreading from human to human. Human infections with the new H1N1 virus are ongoing in the United States. Illness from the H1N1 virus has ranged from mild to severe. Due to the potentially severe nature of this disease and its pandemic spread, it is paramount that our beneficiaries have the greatest flexibility to receive the H1N1 vaccine. Thus, as a result of these extraordinary circumstances, and in order to provide needed care for our beneficiaries, it is necessary for the Department of Defense to make this limited, temporary suspension of the existing regulation governing how TRICARE Prime beneficiaries receive care outside the military treatment facilities (MTFs) and TRICARE networks.

The Administrative Procedures Act exception to formal rule-making procedures is justified when unusual circumstances make the formal process impracticable, unnecessary, or contrary to the public interest. Given the potential for national emergency created by the anticipated spread of the H1N1 virus and the need to respond quickly to the medical needs of TRICARE beneficiaries, the TRICARE regulation's PCM referral requirement is temporarily suspended from October 1, 2009 through April 30, 2010, through issuance of this policy memorandum. This suspension of the referral requirement for care outside our MTFs and TRICARE networks allows our enrollees,

without liability for point-of-service charges, to obtain the immunization from any TRICARE-authorized provider having the vaccine available.

The Director, TRICARE Management Activity, shall issue appropriate criteria, instructions, procedures, and guidelines as necessary to implement this policy.

Ellen P. Embrey
Deputy Assistant Secretary of Defense
(Force Health Protection and Readiness)
Performing the Duties of the
Assistant Secretary of Defense
(Health Affairs)