

# United States Senate

WASHINGTON, DC 20510

January 19, 2022

Secretary of Defense  
Lloyd J. Austin III  
1000 Defense Pentagon  
Washington, DC 20301-1000

Performing the Duties of the Assistant Secretary of Defense for Health Affairs  
Deputy Assistant Secretary of Defense for Health Readiness Policy and Oversight  
Dr. David J. Smith  
7700 Arlington Boulevard, Suite 5101  
Falls Church, VA 22042-5101

Dear Secretary of Defense Lloyd J. Austin III and Deputy Assistant Secretary of Defense Dr. David J. Smith:

Thank you for everything that you have done to protect servicemembers, military retirees, and their families from the pandemic. The ability for all Americans to test for COVID-19 could not be more critical in light of the amplified transmissibility of the Omicron variant that accounts for over 90% of new cases in the United States. Beginning on January 15, 2022, the Biden-Harris Administration will require insurance companies and group health plans to cover eight at-home COVID-19 tests (i.e., over-the-counter-, self-, antigen-, nucleic acid amplification-, at-home-, or point-of-care-test<sup>1</sup>) per month and per individual<sup>2</sup>.

Currently, TRICARE beneficiaries can only receive coverage for at-home COVID-19 tests if it's medically necessary as determined by a TRICARE-authorized provider, meaning they must have an order or referral for the test for it to be covered.

We write to urge the Department of Defense to expand TRICARE coverage to include at-home tests under the same requirements as the Biden Administration is requiring for those covered under private insurance. Under the Families First Coronavirus Response Act (FFCRA; P.L. 116-127), TRICARE is required to cover COVID testing with no cost-sharing requirements for the duration of the Public Health Emergency. Under law, 10 USC Sec 1079(a)(13), TRICARE is directed to cover "medically necessary services and supplies required in the diagnosis and treatment of illness or injury." The recent guidance by the Centers for Disease Control and Prevention (CDC) demonstrates that home tests are medically necessary. It states, "self-tests can

---

<sup>1</sup> The Centers for Disease Control and Prevention. Self-Testing.

<https://www.cdc.gov/coronavirus/2019-ncov/testing/self-testing.html>

<sup>2</sup> Health and Human Services. Biden-Harris Administration Requires Insurance Companies and Group Health Plans to Cover the Cost of At-Home COVID-19 Tests, Increasing Access to Free Tests.

<https://www.hhs.gov/about/news/2022/01/10/biden-harris-administration-requires-insurance-companies-group-health-plans-to-cover-cost-at-home-covid-19-tests-increasing-access-free-tests.html>

also be used as one of many risk-reduction measures, along with vaccination, masking, and physical distancing, that protect you and others by reducing the chance of viral transmission.”

It is critical that the 9.6 million TRICARE beneficiaries have access to at-home tests to keep them and their communities safe. We urge you to expand TRICARE coverage, under your current authority, so that those who are serving and have served our country receive the same protections as other Americans. With the rapid rise in COVID-19 cases due to the surge of the Omicron variant, it is imperative that this change is made immediately. Thank you for your consideration.

Sincerely,



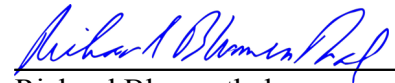
Kirsten Gillibrand  
Kirsten Gillibrand  
United States Senator  
Ranking Member,  
Subcommittee on Personnel



Mazie K. Hirono  
Mazie K. Hirono  
United States Senator



Elizabeth Warren  
Elizabeth Warren  
United States Senator



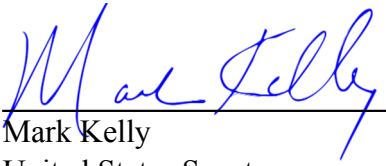
Richard Blumenthal  
Richard Blumenthal  
United States Senator





Sherrod Brown  
Sherrod Brown  
United States Senator



Tina Smith  
Tina Smith  
United States Senator

  
Mark Kelly  
United States Senator

  
Cory A. Booker  
United States Senator

  
Michael F. Bennet  
United States Senator