

CHAPTER 11
SECTION 7.1

FOREIGN CLAIMS PRIOR TO OCTOBER 1, 1996

Issue Date: October 12, 1984

Authority: [32 CFR 199.1\(b\)\(1\)](#)

I. ISSUE

Foreign claims.

II. BACKGROUND

The rigid application of requirements for processing of foreign claims has brought about administrative and public relations problems. Language barriers, along with variations in standards of practice, have made it difficult to obtain detailed information concerning both institutional and professional claims required for payment under the TRICARE program. Additionally, the sponsor's overseas duty assignment often makes it impossible for the sponsor personally to obtain the required documentation necessary to ensure payment of their family members' claims. This has ultimately resulted in excessive delays in payment of claims and a decreasing willingness of foreign providers to treat TRICARE beneficiaries as patients. Since the Code of Federal Regulations (32 CFR 199) allows exceptions to provisions and requirements of the TRICARE program in foreign countries when granted by the Executive Director, TMA (or designee), the Executive Director, TMA has determined it is necessary to allow an exception to the usual claims processing requirements for foreign claims.

III. POLICY

A. A foreign claim is any claim for services provided outside the United States, the territorial waters of the United States, or Puerto Rico.

B. TRICARE/CHAMPUS may cost-share TRICARE/CHAMPUS-eligible beneficiaries' foreign claims when:

1. The services and supplies otherwise fall within the range of TRICARE/CHAMPUS benefits, including prescription drugs and durable medical equipment, and are not specifically excluded by 32 CFR 199.

2. The diagnosis or description of illness supports the reasonableness of the procedures and is commonly accepted practice in the host country or region.

3. If applicable, a Nonavailability Statement (NAS) is submitted with a claim for nonemergency inpatient care when the TRICARE beneficiary resides within an overseas catchment area (usually a 40-mile radius) of a Military Treatment Facility (MTF).

NOTE: Overseas catchment areas for MTFs outside the United States are defined in the Catchment Area Directory, Overseas, or maps provided by the military Departments. An NAS issued by a MTF outside the United States will not be valid for care received in a civilian facility within the United States. Also, an NAS issued by a MTF inside the United States will not be valid for care received in a civilian facility outside the United States.

C. Effective July 1, 1996, CHAMPUSEUR active duty member foreign claims will be processed by the contractor responsible for the processing of foreign claims and will follow the procedure outlined in **OPM Part Two, Chapter 22**, related to active duty member foreign claims processing.

D. TRICARE/CHAMPUS provider certification requirements are not to be applied to foreign providers, unless the foreign provider's services are questionable.

E. Payment/processing of foreign claims, including active duty member foreign claims, will follow the procedures outlined in **OPM Part Two, Chapter 22**.

EXCEPTIONS

A. Prescribed drugs and durable medical equipment do not require Food and Drug Administration (FDA) approval.

B. For Europe, Africa and the Middle East, effective October 1, 1994, all inpatient and outpatient claims, for family members of active duty only, are to be processed taking no cost-share or deductible.

C. For Europe, Africa and the Middle East, pay claims as billed, including charges from ambulance companies for driving physicians to accidents or private residences, for treatment of TRICARE/CHAMPUS beneficiaries, prescription ordered mud baths, "rule out" diagnoses, and vitamins, including prenatal vitamins. Claims for abortions and dental care will be denied.

IV. POLICY CONSIDERATIONS

A. See **Chapter 11, Section 2.1** for additional information on NAS statements and requirements.

B. See **OPM Part Two, Chapter 22**, for procedures for determining and processing foreign currency gains and losses.

C. Claims for services provided on a ship that is outside the territorial waters of the United States are to be processed as foreign claims regardless of the provider's home address. If the provider is certified within the United States or Puerto Rico, reimbursement for the claim is to be based on the provider's home address. If the provider is not certified within the United States or Puerto Rico, reimbursement will follow the procedure for foreign claims.

D. For information on foreign claims after October 1, 1996, see [Chapter 12, Section 1.2](#).

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