

CHAPTER 13
SECTION 11.3

COST-SHARES AND DEDUCTIBLES: FORMER SPOUSES

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I. ISSUE

What are the deductible and cost-sharing requirements for former spouses eligible for TRICARE/CHAMPUS? (See [Chapter 9, Section 1.1B](#) for the eligibility requirements.)

II. BACKGROUND

A. **Deductible.** Prior to April 1, 1991, the deductible amount for former spouses, who for purposes of this policy, are classified as retirees, is \$50.00 for any fiscal year. In accordance with the FY 1991 Appropriations and Authorization Acts, Sections 8064 and 712 respectively, beginning April 1, 1991, an eligible former spouse is responsible for payment of the first one hundred and fifty dollars (\$150.00) of the TRICARE-determined reasonable costs/charges for otherwise covered outpatient services and/or supplies provided in any one fiscal year. Although the law defines former spouses as dependents of the member or former member, there is no legal familial relationship between the former spouse and the member or former member. Moreover, any TRICARE-eligible children of the former spouse will be included in the member's or former member's family deductible. Therefore, the former spouse cannot contribute to, nor benefit from, any family deductible of the member or former member to whom the former spouse was married or of that of any TRICARE-eligible children. In other words, a former spouse must independently meet the \$50.00 (\$150.00 effective April 1, 1991), in any fiscal year.

B. **Cost-Share.** An eligible former spouse is responsible for payment of cost-sharing amounts identical to those required for beneficiaries other than family members of active duty members.

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