

MOTION TO RECOMMIT WITH INSTRUCTIONS

Mr. Buyer moves to recommit the bill H.R. 5013 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendment:

At the end of title III, add the following new section:

1 **SEC. 304. DISCLOSURE AND TRACEABILITY OF THE COST**
2 **OF DEPARTMENT OF DEFENSE HEALTH CARE**
3 **CONTRACTS.**

4 (a) **DISCLOSURE REQUIREMENT.**—The Secretary of
5 Defense shall require—

6 (1) an offeror that submits a bid or proposal in
7 response to an invitation for bids or a request for
8 proposals issued by a component of the Department
9 of Defense for a health care contract to submit with
10 the bid or proposal a disclosure of the additional
11 cost, if any, contained in such bid or proposal associ-
12 ated with compliance with the Patient Protection
13 and Affordable Care Act (Public Law 111–148) and
14 the Health Care and Education Reconciliation Act of
15 2010 (Public Law 111–152); and

1 (2) a contractor for a health care contract
2 awarded following the date of the enactment of this
3 Act to disclose on an annual basis the additional
4 cost, if any, incurred for such contract associated
5 with compliance with the Patient Protection and Af-
6 fordable Care Act (Public Law 111–148) and the
7 Health Care and Education Reconciliation Act of
8 2010 (Public Law 111–152).

9 (b) REPORT.—

10 (1) REQUIREMENT.—Not later than April 1,
11 2011, and each April 1st thereafter until April 1,
12 2016, the Secretary of Defense shall submit to the
13 Committee on Armed Services of the Senate and the
14 Committee on Armed Services of the House of Rep-
15 resentatives a detailed report on the additional cost
16 to the Department of Defense associated with com-
17 pliance with the Patient Protection and Affordable
18 Care Act (Public Law 111–148) and the Health
19 Care and Education Reconciliation Act of 2010
20 (Public Law 111–152).

21 (2) MATTERS COVERED.—The report required
22 by paragraph (1) shall include—

23 (A) the projected costs of compliance for
24 all health care contracts awarded during the

1 preceding year, as disclosed in a bid or proposal
2 in accordance with subsection (a)(1);

3 (B) for all other health care contracts, the
4 incurred cost of compliance for the preceding
5 year, as disclosed in accordance with subsection
6 (a)(2); and

7 (C) any additional costs to the Department
8 of Defense necessary to comply with such Acts.

9 (c) HEALTH CARE CONTRACT DEFINED.—In this
10 section, the term “health care contract” means a contract
11 in an amount greater than the simplified acquisition
12 threshold for the acquisition of any of the following:

13 (1) Medical supplies.

14 (2) Health care services and administration, in-
15 cluding the services of medical personnel.

16 (3) Durable medical equipment.

17 (4) Pharmaceuticals.

18 (5) Health care-related information technology.

