

## § 1095a. Medical care: members held as captives and their dependents

(a) Under regulations prescribed by the President, the Secretary concerned shall pay (by advancement or reimbursement) any person who is a former captive, and any dependent of that person or of a person who is in a captive status, for health care and other expenses related to such care, to the extent that such care—

(1) is incident to the captive status; and

(2) is not covered—

(A) by any other Government medical or health program; or

(B) by insurance.

(b) In the case of any person who is eligible for medical care under section 1074 or 1076 of this title, such regulations shall require that, whenever practicable, such care be provided in a facility of the uniformed services.

(c) In this section:

(1) The terms “captive status” and “former captive” have the meanings given those terms in section 559 of title 37.

(2) The term “dependent” has the meaning given that term in section 551 of that title.

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### NOTES

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#### Source

(Added Pub. L. 99-399, title VIII, Sec. 806(c)(1), Aug. 27, 1986, 100 Stat. 886, Sec. 1095; renumbered Sec. 1095a, Pub. L. 100-26, Sec. 7(e)(2), Apr. 21, 1987, 101 Stat. 281; amended Pub. L. 100-526, title I, Sec. 106(b)(1), Oct. 24, 1988, 102 Stat. 2625.)

#### Amendments

1988—Subsec. (c). Pub. L. 100-526 substituted “The terms ‘captive status’ ” for “ ‘Captive status’ ” in par. (1), and “The term ‘dependent’ ” for “ ‘Dependent’ ” in par. (2).

#### Effective Date; Regulations

Pub. L. 99-399, [title VIII, Sec. 806\(c\)\(3\)](#), [Aug. 27, 1986](#), [100 Stat. 886](#), provided that:

“(A) Section 1095 [now 1095a] of title 10, United States Code, as added by paragraph (1), shall apply with respect to any person whose captive status begins after January 21, 1981.

**10 USC Chapter 55 - Medical And Dental Care**  
**§ 1095a. Medical care: members held as captives and their dependents**

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“(B) The President shall prescribe specific regulations regarding the carrying out of such section with respect to persons whose captive status begins during the period beginning on January 21, 1981, and ending on the effective date of that section [Aug. 27, 1986].”

**Delegation Of Functions**

Functions of President under this section delegated to Secretary of Defense, see section 3 of Ex. Ord. No. 12598, June 17, 1987, 52 F.R. 23421, set out as a note under section 5569 of Title 5, Government Organization and Employees.

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