

Charter
Uniform Formulary Beneficiary Advisory Panel

1. Committee's Official Designation: The committee shall be known as the Uniform Formulary Beneficiary Advisory Panel (UFBAP).
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 1074g(c) and in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C., Appendix) and 41 C.F.R. § 102-3.50(a), established this non-discretionary advisory committee.
3. Objectives and Scope of Activities: The UFBAP provides advice and recommendations on the development of the uniform formulary as described in section 4 below.
4. Description of Duties: As directed by 10 U.S.C. § 1074g(c)(1), the UFBAP shall review and comment on the development of the uniform formulary. The UFBAP will meet after each Pharmacy and Therapeutics Committee quarterly meeting.
5. Agency or Official to Whom the Committee Reports: The UFBAP reports to the Secretary of Defense and the Deputy Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), who shall consider the UFBAP's advice and recommendations before implementing changes to the uniform formulary in accordance with Department of Defense (DoD) policy and procedures.
6. Support: The DoD, through the Office of the USD(P&R) and the Defense Health Agency, provides support for the UFBAP's functions and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act ("the Sunshine Act") (5 U.S.C. § 552b), governing Federal statutes and regulations, and DoD policy and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$66,000.00. The estimated annual personnel cost to the DoD is 0.35 full-time equivalents.
8. Designated Federal Officer: The UFBAP's Designated Federal Officer (DFO) shall be a full-time or permanent part-time DoD civilian officer or employee, or active duty member of the Armed Forces, designated in accordance with established DoD policy and procedures.

The UFBAP's DFO is required to attend the entire duration of all UFBAP meetings. However, in the absence of the UFBAP's DFO, a properly approved Alternate DFO, duly designated to the UFBAP in accordance with DoD policy and procedures, shall attend the entire duration of all UFBAP meetings.

The DFO, or the Alternate DFO, calls all UFBAP meetings; prepares and approves all meeting agendas; and adjourns any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public's interest or required by governing regulations or DoD policy and procedures.

9. Estimated Number and Frequency of Meetings: The UFBAP shall meet at the call of the DFO, in consultation with the UFBAP's Chair and the USD(P&R). The estimated number of meetings is four per year.

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10. Duration: The need for this advisory committee is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The UFBAP terminates upon rescission of 10 U.S.C. §1074g(c).
12. Membership and Designation: Pursuant to 10 U.S.C. §1074g(c)(2), the UFBAP shall be composed of no more than 15 members and shall include members that represent:
 - a. Nongovernmental organizations and associations that represent the views and interests of a large number of eligible covered beneficiaries;
 - b. Contractors responsible for the TRICARE retail pharmacy program;
 - c. Contractors responsible for the national mail-order pharmacy program; and
 - d. TRICARE network providers.

Authority to invite or appointment individuals to serve on the UFBAP rests solely with the Secretary of Defense or the Deputy Secretary of Defense (“the DoD Appointing Authority”) for a term of service of one-to-four years, with annual renewals, in accordance with DoD policy and procedures. No member, unless approved by the DoD Appointing Authority, may serve more than two consecutive terms of service on the UFBAP or serve on more than two DoD Federal advisory committees at one time. The DoD Appointing authority shall appoint the UFBAP’s leadership from among the membership previously approved to serve on the UFBAP in accordance with DoD policy and procedures for term of service of one-to-two years, with annual renewal, not to exceed the member’s approved appointment.

UFBAP members who are not full-time or permanent part-time Federal civilian officers or employees, or active duty members of the Uniformed Services, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee members. UFBAP members who are full-time or permanent part-time Federal civilian officers or employees, or active duty members of the Uniformed Services, shall be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee members. All members of the UFBAP are appointed to exercise their own best judgment on behalf of the DoD, without representing any particular points of view, and to discuss and deliberate in a manner that is free from conflicts of interest. With the exception of reimbursement of official UFBAP-related travel and per diem, UFBAP members serve without compensation.

13. Subcommittees: The DoD has determined that subcommittees will not be authorized for the UFBAP.
14. Recordkeeping: The records of the UFBAP shall be managed in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule, and the appropriate DoD policy and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. § 552).
15. Filing Date: August 1, 2022