

105TH CONGRESS
1ST SESSION

H. R. 459

To amend title XVIII of the Social Security Act to require health maintenance organizations participating in the Medicare program to assure access to out-of-network services to Medicare beneficiaries enrolled with such organizations.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1997

Mr. COBURN (for himself, Mr. CANADY of Florida, Mr. CARDIN, Mr. DAVIS of Virginia, Mr. DEAL of Georgia, Mr. DEFAZIO, Mr. EHLERS, Mr. FOLEY, Mr. HOSTETTLER, Mr. LARGENT, Mr. LEWIS of Georgia, Mr. LOBIONDO, Mrs. LOWEY, Mr. MCHUGH, Mr. NORWOOD, Mr. PALLONE, Ms. PELOSI, Mr. REGULA, Mr. SANDERS, Mr. STARK, Mr. STUMP, and Mr. WELDON of Florida) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to require health maintenance organizations participating in the Medicare program to assure access to out-of-network services to Medicare beneficiaries enrolled with such organizations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Senior Citizens’ Access
3 to Health Care Act of 1997”.

4 **SEC. 2. REQUIRING MEDICARE HEALTH MAINTENANCE OR-**
5 **GANIZATIONS TO OFFER COVERAGE FOR**
6 **OUT-OF-NETWORK SERVICES.**

7 (a) IN GENERAL.—Section 1876 of the Social Secu-
8 rity Act (42 U.S.C. 1395mm) is amended by adding at
9 the end the following new subsection:

10 “(k) If an eligible organization offers to members en-
11 rolled under this section a plan which provides for cov-
12 erage of services covered under parts A and B of this title
13 only if such services are furnished through providers and
14 other persons who are members of a network of providers
15 and other persons who have entered into a contract with
16 the organization to provide such services, the contract with
17 the organization under this section shall provide that the
18 organization shall also offer to members enrolled under
19 this section (at the time of enrollment) a plan which pro-
20 vides for coverage of such services which are not furnished
21 through providers and other persons who are members of
22 such a network.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall apply to contracts with eligible organi-

1 zations under section 1876 of the Social Security Act for
2 years beginning with 1998.

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