

107TH CONGRESS  
1ST SESSION

# H. R. 2836

To amend title XVIII of the Social Security Act to provide for equitable reimbursement rates under the Medicare Program to Medicare+Choice organizations.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 2001

Mr. ISRAEL (for himself and Mr. GRUCCI) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and 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

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## A BILL

To amend title XVIII of the Social Security Act to provide for equitable reimbursement rates under the Medicare Program to Medicare+Choice organizations.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare+Choice Eq-  
5 uity and Access Act of 2001”.

1 **SEC. 2. OPTION TO RECEIVE PAYMENT BASED ON ANNUAL**  
 2 **AREA-SPECIFIC MEDICARE+CHOICE CAPITA-**  
 3 **TION RATE.**

4 Section 1853(c) of the Social Security Act (42 U.S.C.  
 5 1395w-23(c)) is amended—

6 (1) in paragraph (1)—

7 (A) in the matter preceding subparagraph  
 8 (A), by striking “or (C)” and inserting “(C), or,  
 9 in the case of payments for months beginning  
 10 on or after January 1, 2002, (D)”;

11 (B) by adding at the end the following new  
 12 subparagraph:

13 “(D) ANNUAL AREA-SPECIFIC  
 14 MEDICARE+CHOICE CAPITATION RATE.—The  
 15 annual area-specific Medicare+Choice capita-  
 16 tion rate for the Medicare+Choice payment  
 17 area, as determined under paragraph (3) for  
 18 the year.”; and

19 (2) in paragraph (3), by striking “(1)(A)” and  
 20 inserting “subparagraphs (A) and (D) of paragraph  
 21 (1)”.

22 **SEC. 3. PERMANENTLY REMOVING APPLICATION OF BUDG-**  
 23 **ET NEUTRALITY TO BLENDED CAPITATION**  
 24 **RATE.**

25 Section 1853(c) of the Social Security Act (42 U.S.C.  
 26 1395w-23(c)) is amended—

1           (1) in paragraph (1)(A), in the matter following  
2           clause (ii), by inserting “(for years before 2002)”  
3           after “multiplied”; and

4           (2) in paragraph (5), by inserting “(before  
5           2002)” after “for each year”.

6 **SEC. 4. REVISION OF FORMULA USED TO CALCULATE THE**  
7                   **NATIONAL           STANDARDIZED           ANNUAL**  
8                   **MEDICARE+CHOICE   CAPITATION   RATE TO**  
9                   **REFLECT MEDICARE+CHOICE ENROLLMENT.**

10          Section 1853(c)(4)(B)(i)(II) of the Social Security  
11   Act (42 U.S.C. 1395w–23(c)(4)(B)(i)(II)) is amended by  
12   inserting “(or, in the case of calculations for payments for  
13   months beginning on or after January 1, 2002, the aver-  
14   age number of medicare beneficiaries enrolled in a  
15   Medicare+Choice plan that are)” after “medicare bene-  
16   ficiaries”.

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