

107TH CONGRESS  
1ST SESSION

# S. 1317

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 SENATE OF THE UNITED STATES

AUGUST 2, 2001

Mr. SCHUMER (for himself and Mr. SANTORUM) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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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)”; and

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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