

108TH CONGRESS
1ST SESSION

H. R. 368

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2003

Mr. ISRAEL (for himself and Mr. ACKERMAN) 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

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 2003”.

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, 2004, (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 2004)”
3 after “multiplied”; and

4 (2) in paragraph (5), by inserting “(before
5 2004)” 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, 2004, 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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