

114TH CONGRESS
1ST SESSION

H. R. 2507

AN ACT

To amend title XVIII of the Social Security Act to establish an annual rulemaking schedule for payment rates under Medicare Advantage.

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 “Increasing Regulatory
3 Fairness Act of 2015”.

4 **SEC. 2. ESTABLISHING AN ANNUAL RULEMAKING SCHED-**
5 **ULE FOR PAYMENT RATES UNDER MEDICARE**
6 **ADVANTAGE.**

7 Section 1853(b) of the Social Security Act (42 U.S.C.
8 1395w–23(b)) is amended—

9 (1) in the subsection heading, by inserting “,
10 ANNUAL RULEMAKING SCHEDULE FOR PAYMENT
11 RATES FOR 2017 AND SUBSEQUENT YEARS” after
12 “RATES”;

13 (2) in paragraph (1)—

14 (A) in subparagraph (B)—

15 (i) in the subparagraph heading, by
16 inserting “BEFORE 2017” after “YEARS”;
17 and

18 (ii) in the matter preceding clause (i),
19 by inserting “and before 2017” after
20 “2005”; and

21 (B) by adding at the end the following new
22 subparagraph:

23 “(C) ANNUAL RULEMAKING SCHEDULE
24 FOR PAYMENT RATES FOR 2017 AND SUBSE-
25 QUENT YEARS.—For 2017 and each subsequent
26 year, before April 1 of the preceding year, the

1 Secretary shall, by regulation and in accordance
2 with the notice and public comment periods re-
3 quired under paragraph (2) for such a year, an-
4 nually determine and announce the following:

5 “(i) The annual MA capitation rate
6 for each MA payment area for such year.

7 “(ii) The risk and other factors to be
8 used in adjusting such rates under sub-
9 section (a)(1)(A) for payments for months
10 in such year.

11 “(iii) With respect to each MA region
12 and each MA regional plan for which a bid
13 was submitted under section 1854, the MA
14 region-specific non-drug monthly bench-
15 mark amount for that region for the year
16 involved.

17 “(iv) The major policy changes to the
18 risk adjustment model, and the 5-star rat-
19 ing system established under subsection
20 (o), that are determined to have an eco-
21 nomic impact.”; and

22 (3) in paragraph (2)—

23 (A) by inserting “(or, for 2017 and each
24 subsequent year, at least 60 days)” after “45
25 days”; and

1 (B) by inserting “(for 2017 and each sub-
2 sequent year, of no less than 30 days)” after
3 “opportunity”.

Passed the House of Representatives June 17, 2015.

Attest:

Clerk.

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