

Union Calendar No. 115

114TH CONGRESS
1ST SESSION

H. R. 2507

[Report No. 114–159, Part I]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2015

Mr. BRADY of Texas (for himself, Mr. PITTS, and Mr. THOMPSON of California) 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

JUNE 16, 2015

Additional sponsors: Ms. SINEMA, Mr. SESSIONS, and Mr. MURPHY of Florida

JUNE 16, 2015

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JUNE 16, 2015

The Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 21, 2015]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Increasing Regulatory*
5 *Fairness Act of 2015”.*

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

9 *Section 1853(b) of the Social Security Act (42 U.S.C.*
10 *1395w–23(b)) is amended—*

11 *(1) in the subsection heading, by inserting “, AN-*
12 *NUAL RULEMAKING SCHEDULE FOR PAYMENT RATES*
13 *FOR 2017 AND SUBSEQUENT YEARS” after “RATES”;*

14 *(2) in paragraph (1)—*

15 *(A) in subparagraph (B)—*

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

19 *(ii) in the matter preceding clause (i),*
20 *by inserting “and before 2017” after*
21 *“2005”; and*

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

24 *“(C) ANNUAL RULEMAKING SCHEDULE FOR*
25 *PAYMENT RATES FOR 2017 AND SUBSEQUENT*

1 YEARS.—For 2017 and each subsequent year, be-
2 fore April 1 of the preceding year, the Secretary
3 shall, by regulation and in accordance with the
4 notice and public comment periods required
5 under paragraph (2) for such a year, annually
6 determine and announce the following:

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

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

13 “(iii) With respect to each MA region
14 and each MA regional plan for which a bid
15 was submitted under section 1854, the MA
16 region-specific non-drug monthly benchmark
17 amount for that region for the year in-
18 volved.

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

24 (3) in paragraph (2)—

1 (A) by inserting “(or, for 2017 and each
2 subsequent year, at least 60 days)” after “45
3 days”; and

4 (B) by inserting “(for 2017 and each subse-
5 quent year, of no less than 30 days)” after “op-
6 portunity”.

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