

117TH CONGRESS  
2D SESSION

# S. 4899

To amend title XVIII of the Social Security Act to Remedy election  
revocations relating to administration of COVID–19 vaccines.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2022

Mr. PORTMAN (for himself and Mr. BROWN) introduced the following bill;  
which was read twice, considered, read the third time, and passed

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## A BILL

To amend title XVIII of the Social Security Act to Remedy  
election revocations relating to administration of  
COVID–19 vaccines.

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 “Improving Medicare  
5       Patients with RNHCI Options to Vaccinate Easily Act”  
6       or the “IMPROVE Act”.

1 **SEC. 2. REMEDYING ELECTION REVOCATIONS RELATING**  
 2 **TO ADMINISTRATION OF COVID-19 VACCINES.**

3 (a) IN GENERAL.—Section 1821(b)(5)(A) of the So-  
 4 cial Security Act (42 U.S.C. 1395i–5(b)(5)(A)) is amend-  
 5 ed—

6 (1) in clause (i), by striking “or” or at the end;

7 (2) in clause (ii), by striking the period at the  
 8 end and inserting “, or”; and

9 (3) by adding at the end the following new  
 10 clause:

11 “(iii) effective beginning on the date  
 12 of the enactment of this clause, that is a  
 13 COVID–19 vaccine and its administration  
 14 described in section 1861(s)(10)(A).”.

15 (b) SPECIAL RULES FOR COVID–19 VACCINES RE-  
 16 LATING TO REVOCATION OF ELECTION.—Notwith-  
 17 standing paragraphs (3) and (4) of section 1821(b) of the  
 18 Social Security Act (42 U.S.C. 1395i–5(b)), in the case  
 19 of an individual with a revocation of an election under  
 20 such section prior to the date of enactment of this Act  
 21 by reason of receiving a COVID–19 vaccine and its admin-  
 22 istration described in section 1861(s)(10)(A) of such Act  
 23 (42 U.S.C. 1395x(s)(10)(A)), the following rules shall  
 24 apply:

25 (1) Beginning on such date of enactment, such  
 26 individual may make an election under such section,

1       which shall take effect immediately upon its execu-  
2       tion, if such individual would be eligible to make  
3       such an election if they had not received such  
4       COVID–19 vaccine and its administration.

5           (2) Such revoked election shall not be taken  
6       into account for purposes of determining the effec-  
7       tive date for an election described in subparagraph  
8       (A) or (B) of such paragraph (4).

9       (c)   MEDICARE   IMPROVEMENT   FUND.—Section  
10   1898(b)(1) of the Social Security Act (42 U.S.C.  
11   1395iii(b)(1)) is amended by striking “\$7,500,000,000”  
12   and inserting “\$7,493,000,000”.

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