

119TH CONGRESS
2D SESSION

S. 5034

To amend title XVIII of the Social Security Act to increase data transparency for supplemental benefits under Medicare Advantage.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2026

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

A BILL

To amend title XVIII of the Social Security Act to increase data transparency for supplemental benefits 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 “Medicare Advantage
5 Supplemental Benefits Transparency Act of 2026”.

1 **SEC. 2. INCREASING DATA TRANSPARENCY FOR SUPPLE-**
 2 **MENTAL BENEFITS UNDER MEDICARE AD-**
 3 **VANTAGE.**

4 (a) IN GENERAL.—Section 1857(e) of the Social Se-
 5 curity Act (42 U.S.C. 1395w–27(e)) is amended by adding
 6 at the end the following new paragraph:

7 “(7) REPORTING OF ENROLLEE-LEVEL DATA
 8 ON SUPPLEMENTAL BENEFITS.—

9 “(A) IN GENERAL.—Beginning with plan
 10 years beginning on or after January 1, 2029, a
 11 contract under this section with an MA organi-
 12 zation shall require the organization to submit
 13 to the Secretary, for each MA plan offered by
 14 the organization, enrollee-level data on supple-
 15 mental benefits (by item or service, or category
 16 of item or service, as determined appropriate by
 17 the Secretary, and National Provider Identifier
 18 (if applicable)), including eligibility require-
 19 ments for such benefits, the benefit category
 20 applicable with respect to each such benefit,
 21 and data on utilization of and payments for
 22 such benefits (including the total amount spent
 23 by the plan for each enrollee who utilized such
 24 benefits and the total out-of-pocket cost per uti-
 25 lization for each enrollee).

26 “(B) DATA ACCESS.—

1 “(i) IN GENERAL.—Not later than
2 January 1 of the year that is two years
3 after the beginning of a plan year for
4 which data is submitted under subpara-
5 graph (A), the Secretary shall—

6 “(I) upon request, make such
7 data available to individuals and enti-
8 ties for the purpose of conducting—

9 “(aa) evaluations and other
10 analyses to support the program
11 under this title; and

12 “(bb) other health care re-
13 lated research; and

14 “(II) make available on the inter-
15 net website of the Centers for Medi-
16 care & Medicaid Services a public-use
17 data file containing such data in de-
18 identified form.

19 “(ii) CONFIDENTIALITY.—In making
20 data available under clause (i)(I), the Sec-
21 retary shall have in place procedures to
22 safeguard the privacy and security of any
23 individually identifiable enrollee informa-
24 tion.”.

1 (b) RULE OF CONSTRUCTION.—Nothing in the
2 amendments made by this section shall affect the collec-
3 tion of information as proposed, or so finalized, pursuant
4 to—

5 (1) the notice entitled “Agency Information
6 Collection Activities: Proposed Collection; Comment
7 Request”, published in the Federal Register on
8 March 14, 2023 (88 Fed. Reg. 15726); or

9 (2) the notice entitled “Agency Information
10 Collection Activities: Submission for OMB Review;
11 Comment Request”, published in the Federal Reg-
12 ister on September 25, 2023 (88 Fed. Reg. 65689).

13 (c) IMPLEMENTATION FUNDING.—For the purposes
14 of carrying out the amendment made by this section, there
15 are appropriated, out of amounts in the Treasury not oth-
16 erwise appropriated, to the Secretary of Health and
17 Human Services, \$12,000,000 for fiscal year 2026, to re-
18 main available until expended.

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