

119TH CONGRESS
2D SESSION

S. 5270

To amend title XVIII of the Social Security Act to establish a Medicare home care benefit, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2026

Mr. KIM 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 establish a Medicare home care benefit, and for other purposes.

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 at Home
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) More than 10,000,000 Medicare bene-
9 ficiaries need assistance with one or more activities

1 of daily living, and current Medicare law does not
2 cover long-term, personal care in the home.

3 (2) The absence of a home care benefit forces
4 beneficiaries and families to pay out of pocket, spend
5 down into Medicaid, or forgo needed care, often at
6 greater cost to the health care system through avoid-
7 able hospitalizations and institutionalization. Paying
8 out of pocket for home care costs more than
9 \$60,000 annually.

10 (3) The vast majority of people want to live and
11 age with dignity in their homes when they need care,
12 including 94 percent of older adults, 90 percent of
13 people with disabilities, and 89 percent of adults
14 overall.

15 (4) Americans overwhelmingly and strongly be-
16 lieve Medicare should cover home care services, with
17 93 percent of adults agreeing. The majority of cur-
18 rent Medicare beneficiaries either believe it already
19 does or do not know if it does or not.

20 (5) A modest, capped home care benefit under
21 Medicare would allow older adults and people with
22 disabilities to remain safely in their homes and com-
23 munities. It would also take the pressure off of un-
24 paid family caregivers who now provide over

1 \$1,000,000,000,000 in unpaid care to the economy
 2 filling in gaps in the systems.

3 **SEC. 3. ESTABLISHMENT OF MEDICARE HOME CARE BEN-**
 4 **EFIT.**

5 (a) IN GENERAL.—Section 1861 of the Social Secu-
 6 rity Act (42 U.S.C. 1395x) is amended by adding at the
 7 end the following new subsection:

8 “(ooo) HOME CARE SERVICES.—

9 “(1) IN GENERAL.—The term ‘home care serv-
 10 ices’ means the following services furnished to an in-
 11 dividual in the individual’s home by a home care
 12 worker under a plan established under paragraph
 13 (3):

14 “(A) Assistance with activities of daily liv-
 15 ing, including bathing, dressing, toileting,
 16 transferring, and eating.

17 “(B) Assistance with instrumental activi-
 18 ties of daily living, including meal preparation,
 19 medication reminders, and light housekeeping
 20 directly related to the health and safety of the
 21 individual.

22 “(2) LIMITATIONS.—Home care services fur-
 23 nished under this subsection—

24 “(A) shall not exceed 20 hours per week
 25 per individual; and

1 “(B) do not include, and are separate
 2 from, home health services described in sub-
 3 section (m).

4 “(3) PLAN OF CARE.—Home care services shall
 5 be furnished pursuant to a plan of care established
 6 and periodically reviewed by a physician (or other
 7 practitioner authorized under this title to establish a
 8 plan of care), which shall certify that the individual
 9 requires assistance with not fewer than 2 activities
 10 of daily living, 2 instrumental activities of daily liv-
 11 ing, or 1 activity of daily living and 1 instrumental
 12 activity of daily living described in paragraph
 13 (1)(A).”.

14 (b) COVERAGE UNDER PART B.—Section 1832(a)(2)
 15 of the Social Security Act (42 U.S.C. 1395k(a)(2)) is
 16 amended—

17 (1) in subparagraph (I), by striking “and” at
 18 the end;

19 (2) in subparagraph (J), by striking the period
 20 at the end and inserting “; and”; and

21 (3) by adding at the end the following new sub-
 22 paragraph:

23 “(K) home care services (as defined in sec-
 24 tion 1861(ooo)).”.

1 (c) PAYMENT.—Section 1833 of the Social Security
 2 Act (42 U.S.C. 1395l) is amended by adding at the end
 3 the following new subsection:

4 “(ee) PAYMENT FOR HOME CARE SERVICES.—The
 5 Secretary shall establish a payment methodology for home
 6 care services (as defined in section 1861(ooo)) furnished
 7 by agencies or individuals enrolled under this title, which
 8 shall reflect a reasonable wage floor for home care workers
 9 furnishing such services.”.

10 **SEC. 4. ELIGIBILITY.**

11 An individual is eligible for home care services under
 12 this Act if the individual—

13 (1) is entitled to benefits under part A, or en-
 14 rolled under part B, of title XVIII of the Social Se-
 15 curity Act (42 U.S.C. 1395 et seq.);

16 (2) has been certified, in accordance with sec-
 17 tion 1861(ooo)(3) of such Act (as added by section
 18 3), as requiring assistance with not fewer than 2 ac-
 19 tivities of daily living, 2 instrumental activities of
 20 daily living, or 1 activity of daily living and 1 instru-
 21 mental activity of daily living; and

22 (3) is not, at the time Medicare home care serv-
 23 ices are furnished, receiving long-term services and
 24 supports through a State plan (or waiver of such
 25 plan) under title XIX of the Social Security Act (42

1 U.S.C. 1396 et seq.) that duplicate the services de-
2 scribed in section 1861(ooo).

3 **SEC. 5. BENEFIT AMOUNT.**

4 Home care services furnished under this Act may not
5 exceed 20 hours per week per eligible individual, as set
6 forth in section 1861(ooo)(2)(A) of the Social Security Act
7 (as added by section 3).

8 **SEC. 6. FINANCING.**

9 (a) PART B PREMIUM.—The Secretary shall adjust
10 the monthly premium under section 1839 of the Social Se-
11 curity Act (42 U.S.C. 1395r) to reflect the additional ac-
12 tuarial cost of the benefit established under this Act, sub-
13 ject to the standard subsidy schedule under such section.

14 (b) ACTUARIAL REPORT.—Not later than 180 days
15 after the date of enactment of this Act, the Chief Actuary
16 of the Centers for Medicare & Medicaid Services shall sub-
17 mit to Congress an estimate of the per-beneficiary pre-
18 mium impact of the benefit established under this Act.

19 **SEC. 7. ADMINISTRATION.**

20 (a) REGULATIONS.—Not later than 1 year after the
21 date of enactment of this Act, the Secretary of Health and
22 Human Services shall promulgate regulations necessary to
23 carry out this Act and the amendments made by this Act,
24 including standards for home care worker qualifications
25 and agency enrollment.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this Act shall apply to home care services furnished on
3 or after the first day of the first plan year beginning more
4 than 2 years after the date of enactment of this Act.

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