

105TH CONGRESS  
2D SESSION

# H. R. 3128

To amend title XVIII of the Social Security Act with respect to restrictions on changes in benefits under Medicare+Choice plans.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1998

Mr. NADLER (for himself, Mr. FROST, Mr. LAFALCE, Mr. FILNER, Mr. HOLDEN, Mr. WEXLER, Mr. YATES, and Mrs. CLAYTON) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on 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

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## A BILL

To amend title XVIII of the Social Security Act with respect to restrictions on changes in benefits under Medicare+Choice plans.

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 Managed  
5 Care Notification Act of 1998”.

1 **SEC. 2. RESTRICTIONS IN CHANGES IN BENEFITS UNDER**  
2 **MEDICARE+CHOICE PLANS.**

3 (a) IN GENERAL.—Section 1852(a) of the Social Se-  
4 curity Act (42 U.S.C. 1395w-22(a)) is amended by adding  
5 at the end the following new paragraph:

6 “(7) CHANGES IN BENEFITS.—

7 “(A) PROHIBITION OF REDUCTION IN BEN-  
8 EFITS DURING CONTRACT YEAR.—A  
9 Medicare+Choice organization may not, during  
10 a contract year, change the terms of benefits in  
11 a manner that is adverse to an enrollee.

12 “(B) ADVANCE NOTICE OF CHANGES IN  
13 BENEFITS.—If a Medicare+Choice organization  
14 intends to change its benefits offered under this  
15 part in a contract year from those offered in  
16 the previous contract year, the organization  
17 shall provide to enrollees, not later than 120  
18 days before the beginning of the contract year  
19 involved, notice in comparative form of the  
20 changes in benefits intended compared to those  
21 offered in the previous contract year.”.

22 (b) EFFECTIVE DATE.—The amendment made by  
23 subsection (a) applies to contract years beginning on or  
24 after the date of the enactment of this Act.

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