

105TH CONGRESS
2D SESSION

H. R. 4862

To amend title XVIII of the Social Security Act to guarantee that Medicare beneficiaries enrolled in Medicare+Choice plans offering prescription drug coverage have access to a Medigap policy that offers similar prescription drug coverage in the event the Medicare+Choice plan terminates service in the area in which the beneficiary resides.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 1998

Mr. CARDIN introduced the following bill; which was referred to the
Committee on Commerce

A BILL

To amend title XVIII of the Social Security Act to guarantee that Medicare beneficiaries enrolled in Medicare+Choice plans offering prescription drug coverage have access to a Medigap policy that offers similar prescription drug coverage in the event the Medicare+Choice plan terminates service in the area in which the beneficiary resides.

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 “Medigap Access Pro-
5 tection for Seniors Act of 1998”.

1 **SEC. 2. GUARANTEED ACCESS FOR CERTAIN MEDICARE**
2 **BENEFICIARIES TO MEDIGAP POLICIES OF-**
3 **FERING DRUG BENEFITS.**

4 (a) IN GENERAL.—Section 1882(s)(3)(C) of the So-
5 cial Security Act (42 U.S.C. 1395ss(s)(3)(C)) is
6 amended—

7 (1) in clause (i), by striking “Subject to clauses
8 (ii) and (iii),” and inserting “Subject to clauses (ii),
9 (iii), and (v),”; and

10 (2) by adding at the end the following new
11 clause:

12 “(v)(I) In the case of an individual who is enrolled
13 with an organization described in subclause (II), a Medi-
14 care supplemental policy described in this subparagraph
15 includes a Medicare supplemental policy which has a bene-
16 fit package classified as “H”, “I”, or “J” under the stand-
17 ards established under subsection (p)(2), or in the case
18 of a State described in subsection (p)(6), a Medicare sup-
19 plemental policy offered in such State that includes in its
20 benefits package coverage of outpatient prescription
21 drugs.

22 “(II) For purposes of subclause (I), an organization
23 described in this subclause is a Medicare+Choice organi-
24 zation under a Medicare+Choice plan under part C or an
25 eligible organization under a contract under section 1876
26 that provided as a part of its benefits package coverage

1 of outpatient prescription drugs, and that terminates such
2 enrollment with respect to all individuals in the area in
3 which the individual resides.”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 subsection (a) shall take effect on the date of the enact-
6 ment of this Act.

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