

105TH CONGRESS
1ST SESSION

S. 341

To establish a bipartisan commission to study and provide recommendations on restoring the financial integrity of the medicare program under title XVIII of the Social Security Act.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1997

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

A BILL

To establish a bipartisan commission to study and provide recommendations on restoring the financial integrity of the medicare program under title XVIII of the Social Security Act.

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 “National Bipartisan
5 Commission on the Future of Medicare Act of 1997”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 National Bipartisan Commission on the Future of Medi-
4 care (referred to in this Act as the “Commission”).

5 **SEC. 3. FINDINGS.**

6 The Congress finds that—

7 (1) the medicare program under title XVIII of
8 the Social Security Act (42 U.S.C. 1395 et seq.)
9 provides essential health care coverage to this Na-
10 tion’s senior citizens and to individuals with disabil-
11 ities;

12 (2) the Federal Hospital Insurance Trust Fund
13 established under that Act has been spending more
14 than it receives since 1995, and will be bankrupt in
15 the year 2001;

16 (3) the Federal Hospital Insurance Trust Fund
17 faces even greater solvency problems in the long run
18 with the aging of the baby boom generation and the
19 continuing decline in the number of workers paying
20 into the medicare program for each medicare bene-
21 ficiary;

22 (4) the trustees of the trust funds of the medi-
23 care program have reported that growth in spending
24 within the Federal Supplementary Medical Insur-
25 ance Trust Fund established under that Act is
26 unsustainable; and

1 (5) expeditious action is needed in order to re-
2 store the financial integrity of the medicare program
3 and to maintain this Nation’s commitment to senior
4 citizens and to individuals with disabilities.

5 **SEC. 4. DUTIES OF THE COMMISSION.**

6 The Commission shall—

7 (1) review and analyze the long-term financial
8 condition of the medicare program under title XVIII
9 of the Social Security Act (42 U.S.C. 1395 et seq.);

10 (2) identify problems that threaten the financial
11 integrity of the Federal Hospital Insurance Trust
12 Fund and the Federal Supplementary Medical In-
13 surance Trust Fund established under that title (42
14 U.S.C. 1395i, 1395t);

15 (3) analyze potential solutions to the problems
16 identified under paragraph (2) that will ensure both
17 the financial integrity of the medicare program and
18 the provision of appropriate benefits under such pro-
19 gram;

20 (4) make recommendations to restore the sol-
21 vency of the Federal Hospital Insurance Trust Fund
22 and the financial integrity of the Federal Supple-
23 mentary Medical Insurance Trust Fund through the
24 year 2030, when the last of the baby boomers
25 reaches age 65;

1 (5) make recommendations for establishing the
2 appropriate financial structure of the medicare pro-
3 gram as a whole;

4 (6) make recommendations for establishing the
5 appropriate balance of benefits covered and bene-
6 ficiary contributions to the medicare program;

7 (7) make recommendations for the time periods
8 during which the recommendations described in
9 paragraphs (4), (5), and (6) should be implemented;
10 and

11 (8) review and analyze such other matters as
12 the Commission deems appropriate.

13 **SEC. 5. MEMBERSHIP.**

14 (a) NUMBER AND APPOINTMENT.—The Commission
15 shall be composed of 15 members, of whom—

16 (1) three shall be appointed by the President;

17 (2) six shall be appointed by the Majority Lead-
18 er of the Senate, in consultation with the Minority
19 Leader of the Senate, of whom not more than 4
20 shall be of the same political party; and

21 (3) six shall be appointed by the Speaker of the
22 House of Representatives, in consultation with the
23 Minority Leader of the House of Representatives, of
24 whom not more than 4 shall be of the same political
25 party.

1 (b) COMPTROLLER GENERAL.—The Comptroller
2 General of the United States shall advise the Commission
3 on the methodology to be used in identifying problems and
4 analyzing potential solutions in accordance with the duties
5 of the Commission described in section 4.

6 (c) TERMS OF APPOINTMENT.—The members shall
7 serve on the Commission for the life of the Commission.

8 (d) MEETINGS.—The Commission shall locate its
9 headquarters in the District of Columbia, and shall meet
10 at the call of the Chairperson.

11 (e) QUORUM.—Ten members of the Commission shall
12 constitute a quorum, but a lesser number may hold hear-
13 ings.

14 (f) CHAIRPERSON.—The Speaker of the House of
15 Representatives, in consultation with the Majority Leader
16 of the Senate, shall designate 1 of the members appointed
17 under subsection (a) as Chairperson of the Commission.

18 (g) VACANCIES.—A vacancy on the Commission shall
19 be filled in the same manner in which the original appoint-
20 ment was made not later than 30 days after the Commis-
21 sion is given notice of the vacancy.

22 (h) COMPENSATION.—Members of the Commission
23 shall receive no additional pay, allowances, or benefits by
24 reason of their service on the Commission.

1 (i) EXPENSES.—Each member of the Commission
2 shall receive travel expenses and per diem in lieu of sub-
3 sistence in accordance with sections 5702 and 5703 of title
4 5, United States Code.

5 **SEC. 6. STAFF AND SUPPORT SERVICES.**

6 (a) EXECUTIVE DIRECTOR.—

7 (1) APPOINTMENT.—The Chairperson shall ap-
8 point an executive director of the Commission.

9 (2) COMPENSATION.—The executive director
10 shall be paid the rate of basic pay for level V of the
11 Executive Schedule.

12 (b) STAFF.—With the approval of the Commission,
13 the executive director may appoint such personnel as the
14 executive director considers appropriate.

15 (c) APPLICABILITY OF CIVIL SERVICE LAWS.—The
16 staff of the Commission shall be appointed without regard
17 to the provisions of title 5, United States Code, governing
18 appointments in the competitive service, and shall be paid
19 without regard to the provisions of chapter 51 and sub-
20 chapter III of chapter 53 of such title (relating to classi-
21 fication and General Schedule pay rates).

22 (d) EXPERTS AND CONSULTANTS.—With the ap-
23 proval of the Commission, the executive director may pro-
24 cure temporary and intermittent services under section
25 3109(b) of title 5, United States Code.

1 (e) STAFF OF FEDERAL AGENCIES.—Upon the re-
 2 quest of the Commission, the head of any Federal agency
 3 may detail any of the personnel of such agency to the
 4 Commission to assist in carrying out the duties of the
 5 Commission.

6 (f) OTHER RESOURCES.—The Commission shall have
 7 reasonable access to materials, resources, statistical data,
 8 and other information from the Library of Congress and
 9 agencies and elected representatives of the executive and
 10 legislative branches of the Federal Government. The
 11 Chairperson of the Commission shall make requests for
 12 such access in writing when necessary.

13 (g) PHYSICAL FACILITIES.—The Administrator of
 14 the General Services Administration shall locate suitable
 15 office space for the operation of the Commission. The fa-
 16 cilities shall serve as the headquarters of the Commission
 17 and shall include all necessary equipment and incidentals
 18 required for the proper functioning of the Commission.

19 **SEC. 7. POWERS OF COMMISSION.**

20 (a) HEARINGS.—The Commission may conduct pub-
 21 lic hearings or forums at the discretion of the Commission,
 22 at any time and place the Commission is able to secure
 23 facilities and witnesses, for the purpose of carrying out
 24 the duties of the Commission.

1 (b) GIFTS.—The Commission may accept, use, and
 2 dispose of gifts or donations of services or property.

3 (c) MAILS.—The Commission may use the United
 4 States mails in the same manner and under the same con-
 5 ditions as other Federal agencies.

6 **SEC. 8. REPORT.**

7 Not later than 1 year after the date of the enactment
 8 of this Act, the Commission shall submit a report to the
 9 President and Congress which shall contain a detailed
 10 statement of the recommendations, findings, and conclu-
 11 sions of the Commission.

12 **SEC. 9. TERMINATION.**

13 The Commission shall terminate on the date which
 14 is 30 days after the date the Commission submits its re-
 15 port to the President and to Congress under section 8.

16 **SEC. 10. FUNDING.**

17 There is authorized to be appropriated to the Com-
 18 mission such sums as are necessary to carry out the pur-
 19 poses of this Act. Sums appropriated under this section
 20 shall be paid equally from the Federal Hospital Insurance
 21 Trust Fund and from the Federal Supplementary Medical
 22 Insurance Trust Fund under title XVIII of the Social Se-
 23 curity Act (42 U.S.C. 1395i, 1395t).

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