

107TH CONGRESS
1ST SESSION

H. R. 2035

To require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2001

Mr. SANDERS introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, 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

A BILL

To require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and 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 “Consumer Price Index
5 for Elderly Consumers Act”.

1 **SEC. 2. CONSUMER PRICE INDEX FOR ELDERLY CON-**
2 **SUMERS.**

3 (a) IN GENERAL.—The Bureau of Labor Statistics
4 of the Department of Labor shall prepare and publish an
5 index for each calendar month to be known as the “Con-
6 sumer Price Index for Elderly Consumers” that indicates
7 changes over time in expenditures for consumption which
8 are typical for individuals in the United States who are
9 62 years of age or older.

10 (b) EFFECTIVE DATE.—Subsection (a) shall apply
11 with respect to calendar months ending on or after July
12 31 of the calendar year following the calendar year in
13 which this Act is enacted.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated such sums as are nec-
16 essary to carry out the provisions of this section.

17 **SEC. 3. COMPUTATION OF COST-OF-LIVING INCREASES.**

18 (a) AMENDMENTS TO TITLE II.—

19 (1) IN GENERAL.—Section 215(i) of the Social
20 Security Act (42 U.S.C. 415(i)) is amended—

21 (A) in paragraph (1)(G), by inserting be-
22 fore the period the following: “, and, solely with
23 respect to any monthly insurance benefit pay-
24 able under this title to an individual who has
25 attained age 62, effective for adjustments under
26 this subsection to the primary insurance

1 amount on which such benefit is based (or to
2 any such benefit under section 227 or 228) oc-
3 ccurring after such individual attains such age,
4 the applicable Consumer Price Index shall be
5 deemed to be the Consumer Price Index for El-
6 derly Consumers and such primary insurance
7 amount shall be deemed adjusted under this
8 subsection using such Index”; and

9 (B) in paragraph (4), by striking “and by
10 section 9001” and inserting “, by section
11 9001”, and by inserting after “1986,” the fol-
12 lowing: “and by section 3(a) of the Consumer
13 Price Index for Elderly Consumers Act,”.

14 (2) CONFORMING AMENDMENTS IN APPLICABLE
15 FORMER LAW.—Section 215(i)(1)(C) of such Act, as
16 in effect in December 1978 and applied in certain
17 cases under the provisions of such Act in effect after
18 December 1978, is amended by inserting before the
19 period the following: “, and, solely with respect to
20 any monthly insurance benefit payable under this
21 title to an individual who has attained age 62, effec-
22 tive for adjustments under this subsection to the pri-
23 mary insurance amount on which such benefit is
24 based (or to any such benefit under section 227 or
25 228) occurring after such individual attains such

age, the applicable Consumer Price Index shall be deemed to be the Consumer Price Index for Elderly Consumers and such primary insurance amount shall be deemed adjusted under this subsection using such Index”.

(3) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to determinations made by the Commissioner of Social Security under section 215(i)(2) of the Social Security Act (42 U.S.C. 415(i)(2)) with respect to cost-of-living computation quarters ending on or after September 30 of the second calendar year following the calendar year in which this Act is enacted.

(b) AMENDMENTS TO TITLE XVIII.—

(1) IN GENERAL.—Title XVIII of such Act (42 U.S.C. 1395 et seq.) is amended—

(A) in section 1814(i)(2)(B), by inserting

“(i) for accounting years ending before October 1 of the second calendar year following the calendar year in which the Consumer Price Index for Elderly Consumers Act was enacted,” after “for a year is”, and by inserting after “fifth month of the accounting year” the following: “, and (ii) for accounting years ending after October 1 of such calendar year, the cap

1 amount determined under clause (i) for the last
2 accounting year referred to in such clause, in-
3 creased or decreased by the same percentage as
4 the percentage increase or decrease, respec-
5 tively, in the medical care expenditure category
6 (or corresponding category) of the Consumer
7 Price Index for Elderly Consumers, published
8 by the Bureau of Labor Statistics, from March
9 of such calendar year to the fifth month of the
10 accounting year”;

11 (B) in section 1821(c)(2)(C)(ii)(II), by
12 striking “consumer price index for all urban
13 consumers (all items; United States city aver-
14 age)” and insert “Consumer Price Index for El-
15 derly Consumers”;

16 (C) in section 1833(h)(2)(A)(i), by striking
17 “Consumer Price Index for All Urban Con-
18 sumers (United States city average)” and insert
19 “Consumer Price Index for Elderly Con-
20 sumers”;

21 (D) in section 1833(i)(2)(C), by striking
22 “consumer price index for all urban consumers
23 (U.S. city average)” and insert “Consumer
24 Price Index for Elderly Consumers”;

1 (E) in section 1834(a)(14)(D), by striking
2 “consumer price index for all urban consumers
3 (United States city average)” and insert “Con-
4 sumer Price Index for Elderly Consumers”;

5 (F) in section 1834(h)(4)(A)(vi), by strik-
6 ing “consumer price index for all urban con-
7 sumers (United States city average)” and insert
8 “Consumer Price Index for Elderly Con-
9 sumers”;

10 (G) in section 1834(l)(3)(A), by striking
11 “consumer price index for all urban consumers
12 (U.S. city average)” and insert “Consumer
13 Price Index for Elderly Consumers”;

14 (H) in section 1834(l)(3)(B), by striking
15 “consumer price index for all urban consumers
16 (U.S. city average)” and insert “Consumer
17 Price Index for Elderly Consumers”;

18 (I) in section 1842(s)(1), by striking “con-
19 sumer price index for all urban consumers
20 (United States city average)” and insert “Con-
21 sumer Price Index for Elderly Consumers”;

22 (J) in section 1882(p)(11)(C)(ii), by strik-
23 ing “Consumer Price Index for all urban con-
24 sumers (all items; U.S. city average)” and in-

1 sert “Consumer Price Index for Elderly Con-
2 sumers”; and

3 (K) in section 1886(h)(5)(B), by striking
4 “Consumer Price Index for All Urban Con-
5 sumers (United States city average)” and insert
6 “Consumer Price Index for Elderly Con-
7 sumers”.

8 (2) EFFECTIVE DATE.—The amendments made
9 by paragraph (1) shall apply with respect to deter-
10 minations made for periods ending after December
11 31 of the second calendar year following the cal-
12 endar year in which this Act was enacted.

○