

108TH CONGRESS
1ST SESSION

H. R. 368

To amend title XVIII of the Social Security Act to provide for equitable reimbursement rates under the Medicare Program to Medicare+Choice organizations.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2003

Mr. ISRAEL (for himself and Mr. ACKERMAN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and 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

A BILL

To amend title XVIII of the Social Security Act to provide for equitable reimbursement rates under the Medicare Program to Medicare+Choice organizations.

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+Choice Eq-
5 uity and Access Act of 2003”.

1 **SEC. 2. OPTION TO RECEIVE PAYMENT BASED ON ANNUAL**
 2 **AREA-SPECIFIC MEDICARE+CHOICE CAPITA-**
 3 **TION RATE.**

4 Section 1853(c) of the Social Security Act (42 U.S.C.
 5 1395w-23(c)) is amended—

6 (1) in paragraph (1)—

7 (A) in the matter preceding subparagraph
 8 (A), by striking “or (C)” and inserting “(C), or,
 9 in the case of payments for months beginning
 10 on or after January 1, 2004, (D)”;

11 (B) by adding at the end the following new
 12 subparagraph:

13 “(D) ANNUAL AREA-SPECIFIC
 14 MEDICARE+CHOICE CAPITATION RATE.—The
 15 annual area-specific Medicare+Choice capita-
 16 tion rate for the Medicare+Choice payment
 17 area, as determined under paragraph (3) for
 18 the year.”; and

19 (2) in paragraph (3), by striking “(1)(A)” and
 20 inserting “subparagraphs (A) and (D) of paragraph
 21 (1)”.

22 **SEC. 3. PERMANENTLY REMOVING APPLICATION OF BUDG-**
 23 **ET NEUTRALITY TO BLENDED CAPITATION**
 24 **RATE.**

25 Section 1853(c) of the Social Security Act (42 U.S.C.
 26 1395w-23(c)) is amended—

1 (1) in paragraph (1)(A), in the matter following
2 clause (ii), by inserting “(for years before 2004)”
3 after “multiplied”; and

4 (2) in paragraph (5), by inserting “(before
5 2004)” after “for each year”.

6 **SEC. 4. REVISION OF FORMULA USED TO CALCULATE THE**
7 **NATIONAL STANDARDIZED ANNUAL**
8 **MEDICARE+CHOICE CAPITATION RATE TO**
9 **REFLECT MEDICARE+CHOICE ENROLLMENT.**

10 Section 1853(c)(4)(B)(i)(II) of the Social Security
11 Act (42 U.S.C. 1395w–23(c)(4)(B)(i)(II)) is amended by
12 inserting “(or, in the case of calculations for payments for
13 months beginning on or after January 1, 2004, the aver-
14 age number of medicare beneficiaries enrolled in a
15 Medicare+Choice plan that are)” after “medicare bene-
16 ficiaries”.

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