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114TH CONGRESS
1ST SESSION

H. R. 2507

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2015

Received; read twice and referred to the Committee on Finance

AN ACT

To amend title XVIII of the Social Security Act to establish an annual rulemaking schedule for payment rates under Medicare Advantage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Increasing Regulatory Fairness Act of 2015''.

SEC. 2. ESTABLISHING AN ANNUAL RULEMAKING SCHEDULE FOR PAYMENT RATES UNDER MEDICARE ADVANTAGE.

Section 1853(b) of the Social Security Act (42 U.S.C. 1395w–23(b)) is amended—

(1) in the subsection heading, by inserting '', ANNUAL RULEMAKING SCHEDULE FOR PAYMENT RATES FOR 2017 AND SUBSEQUENT YEARS'' after ''RATES'';

(2) in paragraph (1)—

(A) in subparagraph (B)—

(i) in the subparagraph heading, by inserting ''BEFORE 2017'' after ''YEARS''; and

(ii) in the matter preceding clause (i), by inserting ''and before 2017'' after ''2005''; and

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

''(C) ANNUAL RULEMAKING SCHEDULE FOR PAYMENT RATES FOR 2017 AND SUBSEQUENT YEARS.—For 2017 and each subsequent year, before April 1 of the preceding year, the

Secretary shall, by regulation and in accordance with the notice and public comment periods required under paragraph (2) for such a year, annually determine and announce the following:

''(i) The annual MA capitation rate for each MA payment area for such year.

''(ii) The risk and other factors to be used in adjusting such rates under subsection (a)(1)(A) for payments for months in such year.

''(iii) With respect to each MA region and each MA regional plan for which a bid was submitted under section 1854, the MA region-specific non-drug monthly benchmark amount for that region for the year involved.

''(iv) The major policy changes to the risk adjustment model, and the 5-star rating system established under subsection (o), that are determined to have an economic impact.''; and

(3) in paragraph (2)—

(A) by inserting ''(or, for 2017 and each subsequent year, at least 60 days)'' after ''45 days''; and

(B) by inserting ''(for 2017 and each subsequent year, of no less than 30 days)'' after ''opportunity''.

Passed the House of Representatives June 17, 2015.

Attest: KAREN L. HAAS,

Clerk.