

115TH CONGRESS
1ST SESSION

H. R. 3756

To amend title XVIII of the Social Security Act to exclude MA quality rating bonuses for certain new entrant Medicare Advantage plans from benchmark cap.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2017

Ms. BLUNT ROCHESTER 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 exclude MA quality rating bonuses for certain new entrant Medicare Advantage plans from benchmark cap.

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 Advantage
5 Quality Expansion Act of 2017”.

1 **SEC. 2. MA QUALITY RATING BONUSES FOR CERTAIN NEW**
2 **ENTRANT PLANS EXCLUDED FROM BENCH-**
3 **MARK CAP.**

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

6 (1) in subsection (n) by amending paragraph
7 (4) to read as follows:

8 “(4) CAP ON BENCHMARK AMOUNT.—

9 “(A) IN GENERAL.—In no case shall the
10 blended benchmark amount for an area for a
11 year (determined, subject to subparagraph (B),
12 taking into account subsection (o)) be greater
13 than the applicable amount that would (but for
14 the application of this subsection) be deter-
15 mined under subsection (k)(1) for the area for
16 the year.

17 “(B) QUALITY RATING BONUSES APPLICA-
18 BLE TO CERTAIN NEW ENTRANT PLANS NOT
19 CONSIDERED IN BLENDED BENCHMARK DETER-
20 MINATION.—

21 “(i) IN GENERAL.—Subsection (o)
22 shall not be taken into account in deter-
23 mining the blended benchmark for pur-
24 poses of subparagraph (A) in the case of
25 any increase under such subsection appli-
26 cable to a Medicare Advantage plan that is

1 a new entrant plan, with respect to an
2 area, as described in clause (ii).

3 “(ii) NEW ENTRANT PLAN.—For pur-
4 poses of clause (i), a Medicare Advantage
5 plan is a new entrant plan, with respect to
6 an area, if—

7 “(I) the plan is offered in such
8 area beginning on or after January 1,
9 2018, by an organization or sponsor
10 that did not offer a Medicare Advan-
11 tage plan in such area during the 3-
12 year period preceding January 1,
13 2018; and

14 “(II) as of the date the plan is
15 first offered in such area, there was
16 not any other Medicare Advantage
17 plan being offered in the area that
18 was a qualifying plan (as defined in
19 paragraph (3)(A)).”; and

20 (2) in subsection (o), by adding at the end the
21 following new paragraph:

22 “(6) INCREASE IN CASE OF CERTAIN NEW EN-
23 TRANT PLANS MADE WITHOUT REGARD TO BENCH-
24 MARK CAP.—An increase under this subsection, with
25 respect to a new entrant plan (as described in sub-

1 section (n)(4)(B)(ii)) for an area, shall be made to
2 the applicable percentage determined under sub-
3 section (n)(2)(B) without regard to the limitation
4 under subsection (n)(4)(A).”.

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