

115TH CONGRESS
2D SESSION

H. R. 7247

To amend title XVIII of the Social Security Act to clarify the authority of MA organizations to provide waivers from Medicare Advantage plans' prior authorization requirements.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2018

Mr. BRADY of Texas (for himself and Mr. SHIMKUS) 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 clarify the authority of MA organizations to provide waivers from Medicare Advantage plans' prior authorization requirements.

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 “Incentivizing Shared
5 Risk in Medicare Advantage Act”.

1 **SEC. 2. AUTHORITY OF MA ORGANIZATIONS TO PROVIDE**
2 **WAIVERS FROM MEDICARE ADVANTAGE**
3 **PLANS' PRIOR AUTHORIZATION REQUIRE-**
4 **MENTS.**

5 Section 1857(e) of the Social Security Act (42 U.S.C.
6 1395w–27(e)) is amended by adding at the end the fol-
7 lowing new paragraph:

8 “(5) AUTHORITY TO PROVIDE WAIVERS FROM
9 PLAN PRIOR AUTHORIZATION REQUIREMENTS.—In
10 the case of an MA organization with a contract
11 under this section that applies a prior authorization
12 requirement with respect to any item or service cov-
13 ered under the Medicare Advantage plan offered by
14 such organization, such organization may provide for
15 a waiver from such requirement for any provider of
16 services or supplier, as specified by the organization,
17 furnishing such an item or service, including a pro-
18 vider of services or supplier that participates in a
19 risk-sharing arrangement or value-based payment
20 arrangement, as such terms are defined by the orga-
21 nization.”.

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