

117TH CONGRESS
2D SESSION

S. 5117

To amend title XVIII of the Social Security Act to require the inclusion of information on prior authorization requirements and other utilization management techniques, and other information, in the Medicare & You annual notice.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2022

Mr. MARSHALL (for himself and Ms. HASSAN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to require the inclusion of information on prior authorization requirements and other utilization management techniques, and other information, in the Medicare & You annual notice.

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 & You Hand-
5 book Improvement Act of 2022”.

1 **SEC. 2. REQUIRING THE INCLUSION OF INFORMATION ON**
2 **PRIOR AUTHORIZATION REQUIREMENTS AND**
3 **OTHER UTILIZATION MANAGEMENT TECH-**
4 **NIQUES, AND OTHER INFORMATION, IN THE**
5 **MEDICARE & YOU ANNUAL NOTICE.**

6 (a) IN GENERAL.—Section 1804(c) of the Social Se-
7 curity Act (42 U.S.C. 1395b–2(c)) is amended—

8 (1) in paragraph (3), by striking “and” at the
9 end; and

10 (2) by adding at the end the following new
11 paragraphs:

12 “(5) a description of the types of prior author-
13 ization requirements and any other utilization man-
14 agement techniques that may apply under this title,
15 including information on how an individual may find
16 out which such requirements and techniques (if any)
17 apply under a Medicare Advantage plan or a pre-
18 scription drug plan;

19 “(6) a description of the network sizes of Medi-
20 care Advantage plans relative to the number of pro-
21 viders of services and suppliers who accept the origi-
22 nal Medicare fee-for-service program under parts A
23 and B; and

24 “(7) an illustrative example clarifying that a
25 beneficiary switching from a Medicare Advantage
26 plan to the original Medicare fee-for-service program

1 under parts A and B may be prohibited from pur-
2 chasing a medicare supplemental policy under sec-
3 tion 1882 or have to pay significantly higher pre-
4 miums for such a policy.”.

5 (b) EFFECTIVE DATE.—The amendments made by
6 subsection (a) shall apply to notices distributed on or after
7 January 1, 2023.

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