

107TH CONGRESS
2D SESSION

H. R. 5727

To amend title XVIII of the Social Security Act to improve access to Medicare+Choice plans for special needs Medicare beneficiaries by allowing plans to target enrollment to special needs beneficiaries.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2002

Mr. RAMSTAD (for himself and Mr. CARDIN) 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 improve access to Medicare+Choice plans for special needs Medicare beneficiaries by allowing plans to target enrollment to special needs beneficiaries.

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 Improve-
5 ments for Special Needs Beneficiaries Act of 2002”.

1 **SEC. 2. SPECIALIZED MEDICARE+CHOICE PLANS FOR SPE-**
 2 **CIAL NEEDS BENEFICIARIES.**

3 (a) TREATMENT AS COORDINATED CARE PLAN.—
 4 Section 1851(a)(2)(A) of the Social Security Act (42
 5 U.S.C. 1395w–21(a)(2)(A)) is amended by adding at the
 6 end the following new sentence: “Specialized
 7 Medicare+Choice plans for special needs beneficiaries (as
 8 defined in section 1859(b)(4)) may be any type of coordi-
 9 nated care plan.”.

10 (b) SPECIALIZED MEDICARE+CHOICE PLAN FOR
 11 SPECIAL NEEDS BENEFICIARIES DEFINED.—Section
 12 1859(b) of such Act (42 U.S.C. 1395w–29(b)) is amended
 13 by adding at the end the following new paragraph:

14 “(4) SPECIALIZED MEDICARE+CHOICE PLANS
 15 FOR SPECIAL NEEDS BENEFICIARIES.—

16 “(A) IN GENERAL.—The term ‘specialized
 17 Medicare+Choice plan for special needs bene-
 18 ficiaries’ means a Medicare+Choice plan that
 19 exclusively serves special needs beneficiaries (as
 20 defined in subparagraph (B)).

21 “(B) SPECIAL NEEDS BENEFICIARY.—The
 22 term ‘special needs beneficiary’ means a
 23 Medicare+Choice eligible individual who—

24 “(i) is institutionalized (as defined by
 25 the Secretary);

1 “(ii) is entitled to medical assistance
2 under a State plan under title XIX; or

3 “(iii) meets such requirements as the
4 Secretary may determine would benefit
5 from enrollment in such a specialized
6 Medicare+Choice plan described in sub-
7 paragraph (A) for individuals with severe
8 or disabling chronic conditions.”.

9 (c) RESTRICTION ON ENROLLMENT PERMITTED.—
10 Section 1859 of such Act (42 U.S.C. 1395w–29) is
11 amended by adding at the end the following new sub-
12 section:

13 “(f) RESTRICTION ON ENROLLMENT FOR SPECIAL-
14 IZED MEDICARE+CHOICE PLANS FOR SPECIAL NEEDS
15 BENEFICIARIES.—In the case of a specialized
16 Medicare+Choice plan (as defined in subsection (b)(4)),
17 notwithstanding any other provision of this part and in
18 accordance with regulations of the Secretary and for peri-
19 ods before January 1, 2008, the plan may restrict the en-
20 rollment of individuals under the plan to individuals who
21 are within one or more classes of special needs bene-
22 ficiaries.”.

23 (d) REPORT TO CONGRESS.—Not later than Decem-
24 ber 31, 2006, the Secretary of Health and Human Serv-
25 ices shall submit to Congress a report that assesses the

1 impact of specialized Medicare+Choice plans for special
2 needs beneficiaries on the cost and quality of services pro-
3 vided to enrollees. Such report shall include an assessment
4 of the costs and savings to the medicare program as a
5 result of amendments made by subsections (a), (b), and
6 (c).

7 (e) EFFECTIVE DATES.—

8 (1) IN GENERAL.—The amendments made by
9 subsections (a), (b), and (c) shall take effect upon
10 the date of the enactment of this Act.

11 (2) DEADLINE FOR ISSUANCE OF REQUIRE-
12 MENTS FOR SPECIAL NEEDS BENEFICIARIES; TRAN-
13 SITION.—No later than 1 year after the date of the
14 enactment of this Act, the Secretary of Health and
15 Human Services shall issue final regulations to es-
16 tablish requirements for special needs beneficiaries
17 under section 1859(b)(4)(B)(iii) of the Social Secu-
18 rity Act, as added by subsection (b).

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