

110TH CONGRESS
2^D SESSION

H. R. 6174

To amend part C of title XVIII of the Social Security Act to reduce variation in Medicare Advantage payment rates among counties within the same State within certain very large metropolitan area.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2008

Mr. WEXLER 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 part C of title XVIII of the Social Security Act to reduce variation in Medicare Advantage payment rates among counties within the same State within certain very large metropolitan area.

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 “Equality in Medicare
5 Advantage Payment Act of 2008”.

1 **SEC. 2. REDUCING VARIATION IN MEDICARE ADVANTAGE**
2 **PAYMENT RATES AMONG COUNTIES IN THE**
3 **SAME STATE WITHIN CERTAIN VERY LARGE**
4 **METROPOLITAN AREAS.**

5 Section 1853(k) of the Social Security Act (42 U.S.C.
6 1395w-23(k)) is amended—

7 (1) in paragraph (1), by striking “paragraph
8 (2)” and inserting “paragraphs (2) and (4)”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(4) BUDGET-NEUTRAL ADJUSTMENT TO RE-
12 DUCE VARIATION IN APPLICABLE AMOUNTS AMONG
13 MA LOCAL AREAS WITHIN SAME STATE IN A VERY
14 LARGE METROPOLITAN AREA.—

15 “(A) IN GENERAL.—Beginning with 2009,
16 the Secretary shall adjust the applicable
17 amount so that, for MA local areas located
18 within the same State within a very large met-
19 ropolitan area described in subparagraph (B),
20 the lowest applicable amount for such an MA
21 local area is not less than the applicable min-
22 imum percentage (specified in subparagraph
23 (C)) of the highest applicable amount for such
24 an MA local area. Such adjustment shall be
25 made in a manner, as estimated by the Sec-

1 retary, that does not result in any increase or
2 decrease in aggregate payments under this title.

3 “(B) VERY LARGE METROPOLITAN AREA
4 DESCRIBED.—A very large metropolitan area
5 described in this subparagraph is a metropoli-
6 tan statistical area which, based on the data
7 from the 2000 Census, has a population of not
8 less than 5,000,000, and which has, within such
9 area, more than one MA local area (but not
10 more than three MA local areas) within the
11 same State.

12 “(C) APPLICABLE MINIMUM PERCENT-
13 AGE.—The applicable minimum percentage
14 specified in this subparagraph—

15 “(i) for 2009 is 85 percent;

16 “(ii) for 2010 is 90 percent;

17 “(iii) for 2011 is 95 percent; and

18 “(iv) for a subsequent year is 97 per-
19 cent.”.

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