

112TH CONGRESS
1ST SESSION

S. 1999

To amend title XVIII of the Social Security Act to apply the frailty adjustment under PACE payment rules to certain specialized MA plans for special needs individuals.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2011

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) 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 apply the frailty adjustment under PACE payment rules to certain specialized MA plans for special needs individuals.

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Senior Medicare Fair-
3 ness Act”.

4 SEC. 2. APPLICATION OF MA FRAILTY ADJUSTMENT.

5 Section 1853(a)(1)(B)(iv) of the Social Security Act
6 (42 U.S.C. 1395w-23(a)(1)(B)(iv)) is amended—

7 (1) in subclause (I), by adding at the end the
8 following new sentence: “For plan year 2013 and

1 subsequent plan years, with respect to a plan that
 2 is described in subclause (III), the Secretary shall
 3 apply payment rules under section 1894(d) (other
 4 than paragraph (3) of such section) rather than the
 5 payment rules that would otherwise apply under this
 6 part for plan enrollees described in section
 7 1894(e).”; and

8 (2) by adding at the end the following new sub-
 9 clause:

10 “(III) PLAN DESCRIBED.—A
 11 plan described in this subclause is a
 12 specialized MA plan for special needs
 13 individuals described in section
 14 1859(b)(6)(B)(ii) that offers inte-
 15 grated Medicare and Medicaid services
 16 under a contract with the State Med-
 17 icaid agency under title XIX and is
 18 offered by an MA organization that as
 19 of January 1, 2010, had a contract
 20 with such State Medicaid agency that
 21 participated in the ‘Demonstrations
 22 Serving Those Dually-Eligible for
 23 Medicare and Medicaid’ under this
 24 title.”.

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