

115TH CONGRESS  
1ST SESSION

# H. R. 3044

To amend title XVIII of the Social Security Act to expand supplemental benefits to meet the needs of chronically ill Medicare Advantage enrollees under the Medicare program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2017

Mr. MEEHAN (for himself, Ms. SEWELL of Alabama, Mr. LANCE, Ms. DEGETTE, and Mr. KENNEDY) 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

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## A BILL

To amend title XVIII of the Social Security Act to expand supplemental benefits to meet the needs of chronically ill Medicare Advantage enrollees under the Medicare program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXPANDING SUPPLEMENTAL BENEFITS TO**  
 2 **MEET THE NEEDS OF CHRONICALLY ILL**  
 3 **MEDICARE ADVANTAGE ENROLLEES.**

4 (a) IN GENERAL.—Section 1852(a)(3) of the Social  
 5 Security Act (42 U.S.C. 1395w–22(a)(3)) is amended—

6 (1) in subparagraph (A), by striking “Each”  
 7 and inserting “Subject to subparagraph (D), each”;  
 8 and

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

11 “(D) EXPANDING SUPPLEMENTAL BENE-  
 12 FITS TO MEET THE NEEDS OF CHRONICALLY  
 13 ILL ENROLLEES.—

14 “(i) IN GENERAL.—For plan year  
 15 2020 and subsequent plan years, in addi-  
 16 tion to any supplemental health care bene-  
 17 fits otherwise provided under this para-  
 18 graph, an MA plan may provide supple-  
 19 mental benefits described in clause (ii) to  
 20 a chronically ill enrollee (as defined in  
 21 clause (iii)).

22 “(ii) SUPPLEMENTAL BENEFITS DE-  
 23 SCRIBED.—

24 “(I) IN GENERAL.—Supplemental  
 25 benefits described in this clause are  
 26 supplemental benefits that, with re-

1                   spect to a chronically ill enrollee, have  
2                   a reasonable expectation of improving  
3                   or maintaining the health or overall  
4                   function of the chronically ill enrollee  
5                   and may not be limited to being pri-  
6                   marily health related benefits.

7                   “(II) AUTHORITY TO WAIVE UNI-  
8                   FORMITY REQUIREMENTS.—The Sec-  
9                   retary may, only with respect to sup-  
10                  plemental benefits provided to a  
11                  chronically ill enrollee under this sub-  
12                  paragraph, waive the uniformity re-  
13                  quirement under subsection (d)(1)(A),  
14                  as determined appropriate by the Sec-  
15                  retary.

16                  “(iii) CHRONICALLY ILL ENROLLEE  
17                  DEFINED.—In this subparagraph, the term  
18                  ‘chronically ill enrollee’ means an enrollee  
19                  in an MA plan that the Secretary deter-  
20                  mines—

21                         “(I) has one or more comorbid  
22                         and medically complex chronic condi-  
23                         tions that is life threatening or signifi-  
24                         cantly limits the overall health or  
25                         function of the enrollee;

1                   “(II) has a high risk of hos-  
2                   pitalization or other adverse health  
3                   outcomes; or

4                   “(III) requires intensive care co-  
5                   ordination.”.

6           (b) GAO STUDY AND REPORT.—

7                   (1) STUDY.—The Comptroller General of the  
8                   United States (in this subsection referred to as the  
9                   “Comptroller General”) shall conduct a study on  
10                  supplemental benefits provided to enrollees in Medi-  
11                  care Advantage plans under part C of title XVIII of  
12                  the Social Security Act. Such study shall include an  
13                  analysis of the following:

14                       (A) The type of supplemental benefits pro-  
15                       vided to such enrollees, the total number of en-  
16                       rollees receiving each supplemental benefit, and  
17                       whether the supplemental benefit is covered by  
18                       the standard benchmark cost of the benefit or  
19                       with an additional premium.

20                       (B) The frequency in which supplemental  
21                       benefits are utilized by such enrollees.

22                       (C) The impact supplemental benefits have  
23                       on—

1 (i) indicators of the quality of care re-  
2 ceived by such enrollees, including overall  
3 health and function of the enrollees;

4 (ii) the utilization of items and serv-  
5 ices for which benefits are available under  
6 the original Medicare fee-for-service pro-  
7 gram option under parts A and B of such  
8 title XVIII by such enrollees; and

9 (iii) the amount of the bids submitted  
10 by Medicare Advantage Organizations for  
11 Medicare Advantage plans under such part  
12 C.

13 (2) REPORT.—Not later than 5 years after the  
14 date of the enactment of this Act, the Comptroller  
15 General shall submit to Congress a report containing  
16 the results of the study conducted under paragraph  
17 (1), together with recommendations for such legisla-  
18 tion and administrative action as the Comptroller  
19 General determines appropriate.

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