

117TH CONGRESS
2D SESSION

S. 4899

AN ACT

To amend title XVIII of the Social Security Act to Remedy
election revocations relating to administration of
COVID–19 vaccines.

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. SHORT TITLE.**

2 This Act may be cited as the “Improving Medicare
3 Patients with RNHCI Options to Vaccinate Easily Act”
4 or the “IMPROVE Act”.

5 **SEC. 2. REMEDYING ELECTION REVOCATIONS RELATING**
6 **TO ADMINISTRATION OF COVID-19 VACCINES.**

7 (a) IN GENERAL.—Section 1821(b)(5)(A) of the So-
8 cial Security Act (42 U.S.C. 1395i–5(b)(5)(A)) is amend-
9 ed—

10 (1) in clause (i), by striking “or” or at the end;

11 (2) in clause (ii), by striking the period at the
12 end and inserting “, or”; and

13 (3) by adding at the end the following new
14 clause:

15 “(iii) effective beginning on the date
16 of the enactment of this clause, that is a
17 COVID–19 vaccine and its administration
18 described in section 1861(s)(10)(A).”.

19 (b) SPECIAL RULES FOR COVID–19 VACCINES RE-
20 LATING TO REVOCATION OF ELECTION.—Notwith-
21 standing paragraphs (3) and (4) of section 1821(b) of the
22 Social Security Act (42 U.S.C. 1395i–5(b)), in the case
23 of an individual with a revocation of an election under
24 such section prior to the date of enactment of this Act
25 by reason of receiving a COVID–19 vaccine and its admin-
26 istration described in section 1861(s)(10)(A) of such Act

1 (42 U.S.C. 1395x(s)(10)(A)), the following rules shall
 2 apply:

3 (1) Beginning on such date of enactment, such
 4 individual may make an election under such section,
 5 which shall take effect immediately upon its execu-
 6 tion, if such individual would be eligible to make
 7 such an election if they had not received such
 8 COVID–19 vaccine and its administration.

9 (2) Such revoked election shall not be taken
 10 into account for purposes of determining the effec-
 11 tive date for an election described in subparagraph
 12 (A) or (B) of such paragraph (4).

13 (c) MEDICARE IMPROVEMENT FUND.—Section
 14 1898(b)(1) of the Social Security Act (42 U.S.C.
 15 1395iii(b)(1)) is amended by striking “\$7,500,000,000”
 16 and inserting “\$7,493,000,000”.

Passed the Senate September 20, 2022.

Attest:

Secretary.

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