

117TH CONGRESS  
2D SESSION

# S. 5088

To amend title XVIII of the Social Security Act to improve the enrollment of retiring individuals in the Medicare program.

---

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2022

Mr. CASEY (for himself and Mr. PORTMAN) 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 improve the enrollment of retiring individuals in the Medicare program.

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 “Healthcare Enrollment  
5 Reform Modernization and Navigation Act”.

6 **SEC. 2. COORDINATION OF MEDICARE BENEFITS WITH**  
7 **OTHER HEALTH CARE INSURANCE.**

8 (a) IN GENERAL.—Section 1862(b)(1)(A) of the So-  
9 cial Security Act (42 U.S.C. 1395y(b)(1)(A)) is amended  
10 by adding at the end the following new clause:

1                   “(vi) COORDINATION OF BENEFITS  
2                   WITH OTHER HEALTH CARE INSURANCE.—  
3                   Notwithstanding any other provision of  
4                   law, in the event that an individual is en-  
5                   rolled in an employer group health plan  
6                   (including a multiemployer or multiple em-  
7                   ployer group health plan) by virtue of cur-  
8                   rent employment status with an employer  
9                   that does not have 20 or more individuals  
10                  in current employment status for each  
11                  working day in each of 20 or more cal-  
12                  endar weeks in the current calendar year  
13                  and the preceding calendar year and the  
14                  individual is eligible but not enrolled in  
15                  coverage under part B, such employer  
16                  group health plan shall not reduce benefits  
17                  under the plan with respect to the indi-  
18                  vidual on the basis that the individual  
19                  could have been enrolled in coverage under  
20                  part B. Nothing in the preceding sentence  
21                  shall require such employer group health  
22                  plan to provide coverage to an individual  
23                  who elects to enroll in coverage under part  
24                  B or to prohibit such plan from termi-

1 nating such coverage or reducing benefits  
2 if such individual makes such election.”.

3 (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall apply to items and services furnished  
5 on or after the date of the enactment of this Act.

○