

117TH CONGRESS
2D SESSION

H. R. 7997

To amend title XVIII of the Social Security Act to establish a floor in Medicare Advantage benchmark rates for regions with low Medicare fee-for-service penetration and to make the Medicare Savings Program available in all jurisdictions.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2022

Miss GONZÁLEZ-COLÓN (for herself, Mr. SOTO, Ms. VELÁZQUEZ, Ms. SALAZAR, Mr. CRIST, Mr. FITZPATRICK, Mr. BACON, Mr. ESPAILLAT, and Mrs. RADEWAGEN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 title XVIII of the Social Security Act to establish a floor in Medicare Advantage benchmark rates for regions with low Medicare fee-for-service penetration and to make the Medicare Savings Program available in all jurisdictions.

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 “Achieving Equity in
5 the Treatment of Dual Eligible Beneficiaries Act”.

1 **SEC. 2. ADDRESSING DISPARITIES IN MEDICARE ADVAN-**
2 **TAGE BENCHMARK LEVELS BASED ON PENE-**
3 **TRATION.**

4 (a) IN GENERAL.—Section 1853(n) of the Social Se-
5 curity Act (42 U.S.C. 1395w–23(n)) is amended—

6 (1) in paragraph (1)(B), by striking “subse-
7 quent year” and inserting “subsequent year, subject
8 to paragraph (6),”; and

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

11 “(6) AVERAGE GEOGRAPHIC ADJUSTMENT
12 FLOOR.—For 2024 and subsequent years, when cal-
13 culating the adjusted average per capita cost under
14 section 1876(a)(4) for the purposes of establishing
15 the base payment amount specified in paragraph
16 (2)(E), the average geographic adjustment shall not
17 be less than 0.70 for any area. For the purposes of
18 the previous sentence, the Secretary may define the
19 term ‘average geographic adjustment’ under sub-
20 paragraph (A) by program instruction or other-
21 wise.”.

22 (b) ENSURING PLAN PAYMENTS FLOW TO PRO-
23 VIDERS AND PATIENTS.—Section 1854(a)(6) of the Social
24 Security Act (42 U.S.C. 1395w–24(a)(6)) is amended by
25 adding at the end the following new subparagraph:

1 “(C) ENSURING INCREASED PAYMENTS
2 SUPPORT CARE.—With respect to the increase
3 in blended benchmark amount attributable to
4 the application of section 1853(n)(6), no less
5 than 50 percent shall be directed toward pay-
6 ment for basic benefits as defined in section
7 1852(a)(1)(B).”.

8 **SEC. 3. EXPANDING THE MEDICARE SAVINGS PROGRAM TO**
9 **THE TERRITORIES.**

10 Section 1905(p)(4) of the Social Security Act (42
11 U.S.C. 1396d(p)(4)) is amended by inserting “for fiscal
12 years through 2022” after “Columbia)”.

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