

115TH CONGRESS
2^D SESSION

H. R. 6662

AN ACT

To amend title XVIII of the Social Security Act to extend the special election period under part C of the Medicare program for certain deemed individuals enrolled in a reasonable cost reimbursement contract to any Medicare Advantage eligible individual enrolled in such a contract during the final year such contract is extended, 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. SHORT TITLE.**

2 This Act may be cited as the “Empowering Seniors’
3 Enrollment Decision Act of 2018”.

4 **SEC. 2. EXTENDING THE SPECIAL ELECTION PERIOD**
5 **UNDER PART C OF THE MEDICARE PROGRAM**
6 **FOR CERTAIN DEEMED INDIVIDUALS EN-**
7 **ROLLED IN A REASONABLE COST REIM-**
8 **BURSEMENT CONTRACT TO ANY MA ELIGI-**
9 **BLE INDIVIDUAL ENROLLED IN SUCH A CON-**
10 **TRACT DURING THE FINAL YEAR SUCH A**
11 **CONTRACT IS EXTENDED; EXTENDING CON-**
12 **VERSIONS OF REASONABLE COST REIM-**
13 **BURSEMENT CONTRACTS TO MA PLANS.**

14 (a) EXTENDING THE SPECIAL ELECTION PERIOD
15 UNDER PART C OF THE MEDICARE PROGRAM FOR CER-
16 TAIN DEEMED INDIVIDUALS ENROLLED IN A REASON-
17 ABLE COST REIMBURSEMENT CONTRACT TO ANY MA EL-
18 IGIBLE INDIVIDUAL ENROLLED IN SUCH A CONTRACT
19 DURING THE FINAL YEAR SUCH A CONTRACT IS EX-
20 TENDED.—

21 (1) IN GENERAL.—Section 1851(e)(2)(F) of the
22 Social Security Act (42 U.S.C. 1395w–21(e)(2)(F))
23 is amended—

24 (A) in the header, by striking “DEEMED
25 ELECTIONS” and inserting “INDIVIDUALS EN-

1 ROLLED IN A REASONABLE COST REIMBURSE-
2 MENT CONTRACT”; and

3 (B) by amending clause (i) to read as fol-
4 lows:

5 “(i) IN GENERAL.—With respect to a
6 reasonable cost reimbursement contract
7 under section 1876(h) that is not extended
8 or renewed, an individual enrolled in the
9 contract for the final year in which such
10 contract is extended or renewed may, at
11 any time during the period beginning after
12 the last day of the annual, coordinated
13 election period under paragraph (3) occur-
14 ring during such final year and ending on
15 the last day of February of the first plan
16 year following such final year, change the
17 election under subsection (a)(1) (including
18 changing the MA plan or MA–PD plan in
19 which the individual is enrolled) for such
20 first plan year following such final year.”.

21 (2) CLARIFICATION RELATING TO DEEMED IN-
22 DIVIDUALS ENROLLED IN A REASONABLE REIM-
23 BURSEMENT CONTRACT.—Section 1851(c)(4)(A) of
24 the Social Security Act (42 U.S.C. 1395w-
25 21(c)(4)(A)) is amended—

1 (A) by amending clause (ii) to read as fol-
2 lows:

3 “(ii) such previous plan year was the
4 final year in which such contract was ex-
5 tended or renewed;”; and

6 (B) in clause (iii) by striking “subclause
7 (III) of such section” and inserting “section
8 1876(h)(5)(C)(iv)(IV)”.

9 (b) EXTENDING CONVERSIONS OF REASONABLE
10 COST REIMBURSEMENT CONTRACTS TO MA PLANS.—
11 Section 1876(h)(5)(C) of the Social Security Act (42
12 U.S.C. 1395mm(h)(5)(C)) is amended—

13 (1) in clause (iv)—

14 (A) in subclause (I), by striking the last
15 sentence;

16 (B) by redesignating subclauses (I)
17 through (V) as subclauses (II) through (VI), re-
18 spectively;

19 (C) by inserting before subclause (II), as
20 so redesignated, the following subclause:

21 “(I) The final year in which such
22 contract is extended or renewed is re-
23 ferred to in this subsection as the ‘last
24 reasonable cost reimbursement con-
25 tract year for the contract.’”; and

1 (D) in subclause (V), as so redesignated,
2 by striking “subclause (III)” and inserting
3 “subclause (IV)”; and

4 (2) in clause (v), by striking “that is extended
5 or renewed pursuant to clause (iv) provides the no-
6 tice described in clause (iv)(III)” and inserting “that
7 is not to be extended or renewed provides the notice
8 described in clause (iv)(IV)”.

Passed the House of Representatives September 12,
2018.

Attest:

Clerk.

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