

115TH CONGRESS
2D SESSION

H. R. 6809

To amend title XVIII of the Social Security Act to provide for temporary stabilization of Medicare Advantage payments following Hurricane Maria.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2018

Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. SERRANO, Mr. BACON, Mr. SOTO, and Mrs. MURPHY of Florida) 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

A BILL

To amend title XVIII of the Social Security Act to provide for temporary stabilization of Medicare Advantage payments following Hurricane Maria.

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 “Puerto Rico Integrity
5 in Medicare Advantage Act”.

1 **SEC. 2. TEMPORARY STABILIZATION OF MEDICARE ADVAN-**
2 **TAGE PAYMENTS FOLLOWING HURRICANE**
3 **MARIA.**

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 (7),”;

9 (2) in paragraph (4), by striking “In” and in-
10 sserting “Subject to paragraph (7), in”; and

11 (3) by adding at the end the following new
12 paragraph:

13 “(7) **AVERAGE GEOGRAPHIC ADJUSTMENT**
14 **FLOOR.**—For each of 2019, 2020, and 2021, when
15 calculating the adjusted average capital amount
16 under section 1876(a)(4) for the purposes of estab-
17 lishing the base payment amount, the average geo-
18 graphic adjustment shall not be less than 0.70 for
19 any area.”.

20 (b) **ENSURING PAYMENTS FLOW TO PUERTO RICO**
21 **PROVIDERS AND PATIENTS.**—Section 1854(a)(6) of the
22 Social Security Act (42 U.S.C. 1395w–24(a)(6)) is
23 amended—

24 (1) in subparagraph (B)(iv)—

25 (A) by striking “**EXCEPTION.**—In the case
26 of” and inserting “**EXCEPTIONS.**—

1 “(I) In the case of”; and

2 (B) by adding at the end the following new
3 subclause:

4 “(II) In the case of an area to
5 which section 1853(n)(7) applies with
6 respect to a year, clause (iii) shall be
7 waived for bids submitted for such
8 area and year and subparagraph (C)
9 shall apply.”; and

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

12 “(C) STRENGTHENING SUPPORT TO
13 HEALTH CARE PROVIDERS IN PUERTO RICO.—
14 When reviewing bids submitted by plans serving
15 areas in Puerto Rico, the Secretary shall ensure
16 that, of the increase in blended benchmark
17 amount attributable to section 1853(n)(7)
18 (above the amount that would otherwise be de-
19 termined under section 1853(n)), no less than
20 50 percent is directed toward provider com-
21 pensation.”.

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