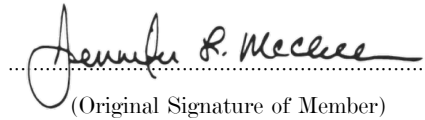


[118H5380]

  
(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title XVIII of the Social Security Act to increase data transparency  
for supplemental benefits under Medicare Advantage.

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IN THE HOUSE OF REPRESENTATIVES

Ms. McCLELLAN introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**A BILL**

To amend title XVIII of the Social Security Act to increase  
data transparency for supplemental benefits under Medi-  
care Advantage.

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. INCREASING DATA TRANSPARENCY FOR SUP-**  
4 **PLEMENTAL BENEFITS UNDER MEDICARE**  
5 **ADVANTAGE.**

6 (a) IN GENERAL.—Section 1857(e) of the Social Se-  
7 curity Act (42 U.S.C. 1395w–27(e)) is amended by adding  
8 at the end the following new paragraph:

1           “(6) REPORTING OF ENROLLEE-LEVEL DATA  
2           ON SUPPLEMENTAL BENEFITS.—

3           “(A) IN GENERAL.—Beginning with plan  
4           years beginning on or after January 1, 2029, a  
5           contract under this section with an MA organi-  
6           zation shall require the organization to submit  
7           to the Secretary, for each MA plan offered by  
8           the organization, enrollee-level data on supple-  
9           mental benefits (by item or service, or category  
10          of item or service, as determined appropriate by  
11          the Secretary, and national provider identifier),  
12          including eligibility for such benefits, the types  
13          of benefit categories offered, data on utilization  
14          of and payments for such benefits (including  
15          the total amount spent by the plan for each en-  
16          rollee who utilized such benefits and the total  
17          out-of-pocket cost per utilization for each en-  
18          rollee).

19          “(B) DATA ACCESS.—

20               “(i) IN GENERAL.—On the first Mon-  
21               day in October of each year (beginning  
22               with 2030), the Secretary shall make data  
23               submitted under subparagraph (A) avail-  
24               able to individuals and entities for the pur-  
25               pose of conducting—

1 “(I) evaluations and other anal-  
2 ysis to support the program under  
3 this title; and

4 “(II) other health care related re-  
5 search.

6 “(ii) PUBLIC USE DATA FILE.—Not  
7 later than October 1 of each year (begin-  
8 ning with 2030), the Secretary shall make  
9 a public use data file containing the data  
10 submitted under subparagraph (A) avail-  
11 able on the internet website of the Centers  
12 for Medicare & Medicaid Services.

13 “(iii) CONFIDENTIALITY.—In making  
14 data available under this subparagraph,  
15 the Secretary shall have in place proce-  
16 dures to safeguard the privacy of any indi-  
17 vidually identifiable enrollee information.”.

18 (b) RULE OF CONSTRUCTION.—Nothing in the  
19 amendments made by this section shall affect the collec-  
20 tion of information as proposed pursuant to the notice en-  
21 titled “Agency Information Collection Activities: Proposed  
22 Collection; Comment Request”, published in the Federal  
23 Register on March 14, 2023 (88 Fed. Reg. 15726).