HR 7340

Medicare Advantage Bill of Rights Act of 2018

Congress: 115 (2017–2019, Ended)
Chamber: House
Policy Area: Health
Introduced: Dec 19, 2018
Current Status: Referred to the Subcommittee on Health.
Latest Action: Referred to the Subcommittee on Health. (Jan 2, 2019)
Official Text: https://www.congress.gov/bill/115th-congress/house-bill/7340

Sponsor

Name: Rep. DeLauro, Rosa L. [D-CT-3]
Party: Democratic • **State:** CT • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	Dec 19, 2018
Ways and Means Committee	House	Referred to	Jan 2, 2019

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Dec 19, 2018)

Medicare Advantage Bill of Rights Act of 2018

This bill establishes limits on the removal of Medicare Advantage (MA) providers by MA organizations. Within 60 days before the first day of the annual coordinated election period for an MA plan, an MA organization may remove a provider from the plan only if the provider is: (1) medically negligent, (2) in violation of a legal or contractual requirement, or (3) otherwise unfit to furnish items and services as required.

An MA organization may remove a provider from an MA plan only after the completion of a fair notice and appeal process. Additionally, the MA organization must: (1) provide written notification of the removal to each enrollee receiving items or services from the provider, and (2) ensure that the removal satisfies certain continuity of care requirements.

The bill also establishes network adequacy requirements. Specifically, when establishing a plan network, an MA organization shall consider specified factors related to provider availability and the timely provision of care. Furthermore, an MA organization must annually certify to the Centers for Medicare & Medicaid Services that providers in each of its plan networks are able to provide services and meet enrollees' needs as required.

Sanctions for noncompliance with the bill's requirements apply.

Actions Timeline

- **Jan 2, 2019:** Referred to the Subcommittee on Health.
- **Dec 19, 2018:** Introduced in House
- **Dec 19, 2018:** 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.

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