

111TH CONGRESS
1ST SESSION

S. 1384

To amend title XVIII of the Social Security Act to provide a senior housing facility plan option under the Medicare Advantage program.

IN THE SENATE OF THE UNITED STATES

JUNE 25, 2009

Mr. CARDIN (for himself and Ms. MIKULSKI) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to provide a senior housing facility plan option under the Medicare Advantage program.

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 “Medicare Senior Hous-
5 ing Plan Act of 2009”.

6 **SEC. 2. SENIOR HOUSING FACILITY PLAN OPTION.**

7 (a) IN GENERAL.—Section 1859 of the Social Secu-
8 rity Act (42 U.S.C. 1395w–28) is amended by adding at
9 the end the following new subsection:

1 “(g) SPECIAL RULES FOR SENIOR HOUSING FACIL-
2 ITY PLANS.—

3 “(1) IN GENERAL.—In the case of a Medicare
4 Advantage senior housing facility plan described in
5 paragraph (2), notwithstanding any other provision
6 of this part to the contrary and in accordance with
7 regulations of the Secretary, the service area of such
8 plan may be limited to a senior housing facility in
9 a geographic area.

10 “(2) MEDICARE ADVANTAGE SENIOR HOUSING
11 FACILITY PLAN DESCRIBED.—For purposes of this
12 subsection, a Medicare Advantage senior housing fa-
13 cility plan is a Medicare Advantage plan that—

14 “(A) restricts enrollment of individuals
15 under this part to individuals who—

16 “(i) reside in a continuing care retire-
17 ment community (as defined in section
18 1852(l)(4)(B)); or

19 “(ii) reside in a housing facility as-
20 sisted under section 202 of the Housing
21 Act of 1959 or supported under the low-in-
22 come housing tax credit program (as pro-
23 vided under section 42 of the Internal Rev-
24 enue Code of 1986) and qualify for assist-

1 ance under section 8 of the United States
2 Housing Act of 1937;

3 “(B) provides primary care services onsite
4 and has a ratio of accessible providers to bene-
5 ficiaries that the Secretary determines is ade-
6 quate, taking into consideration the number of
7 residents onsite, the health needs of those resi-
8 dents, and the accessibility of providers offsite;

9 “(C) provides transportation services for
10 beneficiaries to providers outside of the facility;

11 “(D) makes meaningful use of health in-
12 formation technology (as defined in section
13 3000(5) of the Public Health Service Act (42
14 U.S.C. 300jj(5)); and

15 “(E) is offered by a Medicare Advantage
16 organization that has offered at least 1 plan de-
17 scribed in this paragraph for at least 1 year
18 under a demonstration project established by
19 the Secretary.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 this section shall take effect on January 1, 2010.

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