

.....
(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend title XVIII of the Social Security Act to require certain reporting with respect to agents and brokers of Medicare Advantage organizations.

IN THE HOUSE OF REPRESENTATIVES

Ms. OCASIO-CORTEZ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to require certain reporting with respect to agents and brokers of Medicare Advantage organizations.

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 “Transparency in Medi-
5 care Advantage Steering Act”.

1 **SEC. 2. REQUIRING REPORTING ON CERTAIN AGENT AND**
2 **BROKER INFORMATION.**

3 Section 1857(e) of the Social Security Act (42 U.S.C.
4 1395w-27(e)) is amended by adding at the end the fol-
5 lowing new paragraph:

6 “(7) REQUIREMENT TO REPORT CERTAIN
7 AGENT AND BROKER INFORMATION.—

8 “(A) IN GENERAL.—Beginning with plan
9 years beginning on or after January 1, 2028, a
10 contract under this section with an MA organi-
11 zation shall require the organization to annually
12 report to the Secretary—

13 “(i) with respect to each individual
14 enrolled in an MA plan offered by such or-
15 ganization for such year—

16 “(I) whether such individual was
17 so enrolled by an agent, broker, or
18 other third party representing the or-
19 ganization; and

20 “(II) in the case that such indi-
21 vidual was so enrolled by such an
22 agent, broker, or third party—

23 “(aa) the amount of com-
24 pensation, if any, paid to such
25 agent, broker, or third party in

1 connection with enrolling such in-
2 dividual; and

3 “(bb) the form of such com-
4 pensation;

5 “(ii) the total amount of compensation
6 paid to all such agents, brokers, and third
7 parties representing the organization in
8 connection with enrolling individuals in all
9 MA plans offered by such organization for
10 such year; and

11 “(iii) such other information relating
12 to such agents, brokers, and third parties
13 representing the organization as the Sec-
14 retary may require.

15 “(B) TRANSPARENCY.—Beginning with
16 plan years beginning on or after January 1,
17 2030, the Secretary shall—

18 “(i) include in the Chronic Condition
19 Data Warehouse maintained by the Cen-
20 ters for Medicare & Medicaid Services pur-
21 suant to section 723 of the Medicare Pre-
22 scription Drug, Improvement, and Mod-
23 ernization Act of 2003 an indicator to
24 identify whether an individual was enrolled
25 in an MA plan by an agent, broker, or

1 other third party representing the organi-
2 zation offering such plan (as determined
3 based on the information reported under
4 subparagraph (A)(i)); and

5 “(ii) make publicly available on the
6 internet website of the Centers for Medi-
7 care & Medicaid services the information
8 reported by an MA organization under
9 clauses (ii) and (iii) of subparagraph (A).”.