

118TH CONGRESS
1ST SESSION

H. R. 732

To rename the program under part C of title XVIII of the Social Security Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2023

Mr. POCAN (for himself, Mr. KHANNA, Ms. SCHAKOWSKY, Mr. COHEN, Mr. DAVIS of Illinois, Mr. CARSON, Ms. DELAURO, Mr. DOGGETT, Ms. PORTER, Mr. FROST, Mr. NADLER, Ms. LEE of California, Mr. DELUZIO, Mrs. CHERFILUS-MCCORMICK, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. GRJALVA, Ms. TLAIB, Mr. BOWMAN, and Mrs. NAPOLITANO) 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 rename the program under part C of title XVIII of the Social Security Act, and for other purposes.

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 “Save Medicare Act”.

1 **SEC. 2. MEDICARE ADVANTAGE RENAMED.**

2 (a) IN GENERAL.—There is hereby established the
3 “Alternative Private Health Plan” program. The Alter-
4 native Private Health Plan program shall consist of the
5 program under part C of title XVIII of the Social Security
6 Act (42 U.S.C. 1395w–21 et seq.).

7 (b) REFERENCES.—Notwithstanding section 201 of
8 the Medicare Prescription Drug, Improvement, and Mod-
9 ernization Act of 2003 (Public Law 108–173) and subject
10 to subsection (c), any reference to the program under part
11 C of title XVIII of the Social Security Act (42 U.S.C.
12 1395w–21 et seq.) shall be deemed a reference to the Al-
13 ternative Private Health Plan program and, with respect
14 to such part, any reference to “Medicare+Choice”, “Medi-
15 care Advantage”, or “MA” is deemed a reference to the
16 Alternative Private Health Plan program.

17 (c) TRANSITION.—In order to provide for an orderly
18 transition and avoid beneficiary and provider confusion,
19 the Secretary of Health and Human Services shall provide
20 for an appropriate transition in the use of the terms
21 “Medicare Advantage”, “MA”, and “Alternative Private
22 Health Plan” in reference to the program under part C
23 of title XVIII of the Social Security Act (42 U.S.C.
24 1395w–21 et seq.). Such transition shall be fully com-
25 pleted for all materials for plan years beginning on or after
26 October 15, 2023. Before the completion of such transi-

1 tion, any reference to the Alternative Private Health Plan
2 program shall be deemed to include a reference to
3 “Medicare+Choice”, “Medicare Advantage”, and “MA”.

4 **SEC. 3. CIVIL MONEY PENALTY.**

5 Section 1128A of the Social Security Act (42 U.S.C.
6 1320a–7a) is amended by adding at the end the following:

7 “(t)(1) Any entity that advertises a plan under part
8 C of title XVIII of this Act by using the term ‘Medicare’
9 in the title of the plan on or after the date of enactment
10 of this Act shall be subject to a civil money penalty of
11 \$100,000 for each instance of the use of the term in a
12 plan title.

13 “(2) The provisions of subsections (c), (g), and (h)
14 shall apply to a civil money penalty under this subsection
15 in the same manner as such provisions apply to a penalty,
16 assessment, or proceeding under subsection (a).”.

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