

118TH CONGRESS
2D SESSION

S. 3939

To amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on primary care services furnished by nurse practitioners, physician assistants, and clinical nurse specialists.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2024

Mr. WHITEHOUSE (for himself and Mr. BARRASSO) 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 improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on primary care services furnished by nurse practitioners, physician assistants, and clinical nurse specialists.

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 “ACO Assignment Im-
5 provement Act of 2024”.

1 **SEC. 2. IMPROVEMENTS TO THE ASSIGNMENT OF BENE-**
2 **FICIARIES UNDER THE MEDICARE SHARED**
3 **SAVINGS PROGRAM.**

4 Section 1899(c)(1) of the Social Security Act (42
5 U.S.C. 1395jjj(c)(1)) is amended—

6 (1) in subparagraph (A), by striking “and” at
7 the end;

8 (2) in subparagraph (B), by striking the period
9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new sub-
11 paragraph:

12 “(C) in the case of performance years be-
13 ginning on or after January 1, 2025, primary
14 care services provided under this title by an
15 ACO professional described in subsection
16 (h)(1)(B).”.

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