

117TH CONGRESS  
2D SESSION

# S. 4050

To amend title XVIII of the Social Security Act to eliminate a provision under the Medicare Advantage program that inadvertently penalizes Medicare Advantage plans for providing high quality care to Medicare beneficiaries.

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## IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Mr. DAINES (for himself, Mr. KING, Ms. SMITH, and Mr. SCOTT of South Carolina) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to eliminate a provision under the Medicare Advantage program that inadvertently penalizes Medicare Advantage plans for providing high quality care to Medicare beneficiaries.

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 Advantage  
5 Quality Payment Relief Act of 2022”.

1 **SEC. 2. RELIEF FROM QUALITY BONUS PENALTY IN CAL-**  
2 **CULATION OF THE MEDICARE ADVANTAGE**  
3 **BLENDED BENCHMARK CAP.**

4 (a) **IN GENERAL.**—Section 1853(n)(4) of the Social  
5 Security Act (42 U.S.C. 1395w–23(n)(4)) is amended by  
6 striking “determined taking into account” and inserting  
7 “determined without regard to”.

8 (b) **EFFECTIVE DATE.**—The amendment made by  
9 subsection (a) shall apply to plan years beginning on or  
10 after January 1, 2023.

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