

117TH CONGRESS
2D SESSION

S. 4899

To amend title XVIII of the Social Security Act to Remedy election revocations relating to administration of COVID–19 vaccines.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2022

Mr. PORTMAN (for himself and Mr. BROWN) introduced the following bill;
which was read twice, considered, read the third time, and passed

A BILL

To amend title XVIII of the Social Security Act to Remedy election revocations relating to administration of COVID–19 vaccines.

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 “Improving Medicare
5 Patients with RNHCI Options to Vaccinate Easily Act”
6 or the “IMPROVE Act”.

1 **SEC. 2. REMEDYING ELECTION REVOCATIONS RELATING**
 2 **TO ADMINISTRATION OF COVID-19 VACCINES.**

3 (a) IN GENERAL.—Section 1821(b)(5)(A) of the So-
 4 cial Security Act (42 U.S.C. 1395i-5(b)(5)(A)) is amend-
 5 ed—

6 (1) in clause (i), by striking “or” or at the end;

7 (2) in clause (ii), by striking the period at the
 8 end and inserting “, or”; and

9 (3) by adding at the end the following new
 10 clause:

11 “(iii) effective beginning on the date
 12 of the enactment of this clause, that is a
 13 COVID-19 vaccine and its administration
 14 described in section 1861(s)(10)(A).”.

15 (b) SPECIAL RULES FOR COVID-19 VACCINES RE-
 16 LATING TO REVOCATION OF ELECTION.—Notwith-
 17 standing paragraphs (3) and (4) of section 1821(b) of the
 18 Social Security Act (42 U.S.C. 1395i-5(b)), in the case
 19 of an individual with a revocation of an election under
 20 such section prior to the date of enactment of this Act
 21 by reason of receiving a COVID-19 vaccine and its admin-
 22 istration described in section 1861(s)(10)(A) of such Act
 23 (42 U.S.C. 1395x(s)(10)(A)), the following rules shall
 24 apply:

25 (1) Beginning on such date of enactment, such
 26 individual may make an election under such section,

1 which shall take effect immediately upon its execu-
2 tion, if such individual would be eligible to make
3 such an election if they had not received such
4 COVID–19 vaccine and its administration.

5 (2) Such revoked election shall not be taken
6 into account for purposes of determining the effec-
7 tive date for an election described in subparagraph
8 (A) or (B) of such paragraph (4).

9 (c) MEDICARE IMPROVEMENT FUND.—Section
10 1898(b)(1) of the Social Security Act (42 U.S.C.
11 1395iii(b)(1)) is amended by striking “\$7,500,000,000”
12 and inserting “\$7,493,000,000”.

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