

118TH CONGRESS  
1ST SESSION

# S. 880

To require MedPAC and MACPAC to biennially conduct a coordinated review and analysis of Medicare and Medicaid policy with respect to dually eligible beneficiaries, and to jointly submit recommendations for policy changes, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 21, 2023

Mr. CASSIDY (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To require MedPAC and MACPAC to biennially conduct a coordinated review and analysis of Medicare and Medicaid policy with respect to dually eligible beneficiaries, and to jointly submit recommendations for policy changes, 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 “Coordinating Dual Eli-  
5 gible Recommendations Act”.

1 **SEC. 2. COORDINATED MEDPAC AND MACPAC REVIEW AND**  
 2 **REPORT REGARDING DUALY ELIGIBLE**  
 3 **BENEFICIARIES.**

4 (a) IN GENERAL.—

5 (1) MEDICARE.—Section 1805(b)(11) of the  
 6 Social Security Act (42 U.S.C. 1395b–6(b)(11)) is  
 7 amended—

8 (A) by striking “The Commission” and in-  
 9 serting the following:

10 “(A) IN GENERAL.—The Commission”;  
 11 and

12 (B) by adding at the end the following:

13 “(B) BIENNIAL COORDINATED REVIEW  
 14 AND JOINT REPORT ON POLICIES AFFECTING  
 15 DUALY ELIGIBLE BENEFICIARIES.—

16 “(i) IN GENERAL.—Beginning with  
 17 the report for March 15, 2024, and bienni-  
 18 ally thereafter, the Commission shall co-  
 19 ordinate with MACPAC to jointly—

20 “(I) review and analyze aggre-  
 21 gate trends in spending, utilization,  
 22 and financial performance under  
 23 Medicare and Medicaid regarding ac-  
 24 cess to, and the quality of, care pro-  
 25 vided under such programs for dually  
 26 eligible beneficiaries; and

1 “(II) include as an appendix to  
2 such report—

3 “(aa) analyses of such  
4 trends; and

5 “(bb) subject to paragraph  
6 (10), recommendations for  
7 changes to Medicare and Med-  
8 icaid policy to ensure adequate  
9 and efficient access to care to im-  
10 prove and maintain the health  
11 and functional status of dually el-  
12 igitible beneficiaries and to in-  
13 crease the alignment of the Medi-  
14 care and Medicaid programs in  
15 serving such beneficiaries.

16 “(ii) APPROPRIATE COMMITTEES OF  
17 CONGRESS.—Each report required under  
18 this subparagraph shall be submitted to  
19 the appropriate committees of Congress.”.

20 (2) MEDICAID.—Section 1900(b)(11) of the So-  
21 cial Security Act (42 U.S.C. 1396(b)(11)) is amend-  
22 ed by adding at the end the following:

23 “(C) BIENNIAL COORDINATED REVIEW  
24 AND JOINT REPORT ON POLICIES AFFECTING  
25 DUALY ELIGIBLE BENEFICIARIES.—

1           “(i) IN GENERAL.—Beginning with  
2           the report for March 15, 2024, and bienni-  
3           ally thereafter, MACPAC shall coordinate  
4           with the Medicare Payment Advisory Com-  
5           mission established under section 1805 to  
6           jointly—

7                   “(I) review and analyze aggre-  
8                   gate trends in spending, utilization,  
9                   and financial performance under  
10                  Medicare and Medicaid regarding ac-  
11                  cess to, and the quality of, care pro-  
12                  vided under such programs for dually  
13                  eligible individuals; and

14                  “(II) include as an appendix to  
15                  such report—

16                          “(aa) analyses of such  
17                          trends; and

18                          “(bb) subject to paragraph  
19                          (13), recommendations for  
20                          changes to Medicare and Med-  
21                          icaid policy to ensure adequate  
22                          and efficient access to care to im-  
23                          prove and maintain the health  
24                          and functional status of dually el-  
25                          igible beneficiaries and to in-

1                   crease the alignment of the Medi-  
2                   care and Medicaid programs in  
3                   serving such beneficiaries.

4                   “(ii) APPROPRIATE COMMITTEES OF  
5                   CONGRESS.—Each report required under  
6                   this subparagraph shall be submitted to  
7                   the appropriate committees of Congress  
8                   which, for purposes of this subparagraph,  
9                   shall include the Committee on Ways and  
10                  Means of the House of Representatives.”.

11               (b) TECHNICAL AMENDMENTS.—

12                   (1) MEDICARE.—Section 1805(b) of the Social  
13                  Security Act (42 U.S.C. 1395b–6(b)) is amended—

14                   (A) in paragraph (6), by inserting “Energy  
15                  and” before “Commerce”; and

16                   (B) in paragraph (10), by striking “section  
17                  2081” and inserting “section 2602”.

18                   (2) MEDICAID.—Paragraph (13) of section  
19                  1900(b) of the Social Security Act (42 U.S.C.  
20                  1396(b)(13)) is amended by striking “section 2081”  
21                  and inserting “section 2602”.

○