

Public Law 104-18  
104th Congress

An Act

July 7, 1995  
[H.R. 483]

To amend the Omnibus Budget Reconciliation Act of 1990 to permit medicare select policies to be offered in all States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMITTING MEDICARE SELECT POLICIES TO BE OFFERED IN ALL STATES FOR AN EXTENDED PERIOD.**

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended to read as follows:

“(c) EFFECTIVE DATE.—(1) The amendments made by this section shall only apply—

“(A) in 15 States (as determined by the Secretary of Health and Human Services) and such other States as elect such amendments to apply to them, and

“(B) subject to paragraph (2), during the 6½-year period beginning with 1992.

For purposes of this paragraph, the term ‘State’ has the meaning given such term by section 210(h) of the Social Security Act (42 U.S.C. 410(h)).

“(2)(A) The Secretary of Health and Human Services shall conduct a study that compares the health care costs, quality of care, and access to services under medicare select policies with that under other medicare supplemental policies. The study shall be based on surveys of appropriate age-adjusted sample populations. The study shall be completed by June 30, 1997.

“(B) Not later than December 31, 1997, the Secretary shall determine, based on the results of the study under subparagraph (A), if any of the following findings are true:

“(i) The amendments made by this section have not resulted in savings of premium costs to those enrolled in medicare select policies (in comparison to their enrollment in medicare supplemental policies that are not medicare select policies and that provide comparable coverage).

“(ii) There have been significant additional expenditures under the medicare program as a result of such amendments.

“(iii) Access to and quality of care has been significantly diminished as a result of such amendments.

“(C) The amendments made by this section shall remain in effect beyond the 6½-year period described in paragraph (1)(B) unless the Secretary determines that any of the findings described in clause (i), (ii), or (iii) of subparagraph (B) are true.

“(3) The Comptroller General shall conduct a study to determine the extent to which individuals who are continuously covered under

a medicare supplemental policy are subject to medical underwriting if they change the policy under which they are covered, and to identify options, if necessary, for modifying the medicare supplemental insurance market to make sure that continuously insured beneficiaries are able to switch plans without medical underwriting. By not later than June 30, 1996, the Comptroller General shall submit to the Congress a report on the study. The report shall include a description of the potential impact on the cost and availability of medicare supplemental policies of each option identified in the study.”

Reports.

Approved July 7, 1995.

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**LEGISLATIVE HISTORY—H.R. 483:**

**HOUSE REPORTS:** Nos. 104-79, Pt. 1 (Comm. on Ways and Means) and Pt. 2 (Comm. on Commerce), and 104-157 (Comm. of Conference).

**CONGRESSIONAL RECORD**, Vol. 141 (1995):

Apr. 6, considered and passed House.

May 17, considered and passed Senate, amended.

June 26, Senate agreed to conference report.

June 30, House agreed to conference report.