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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend title XVIII of the Social Security Act to provide for certain reforms with respect to medicare supplemental health insurance policies.

IN THE HOUSE OF REPRESENTATIVES

Ms. DAVIDS of Kansas introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to provide for certain reforms with respect to medicare supplemental health insurance policies.

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 “Guaranteeing Access
5 to supplemental Plans Act” or the “GAP Act”.

1 **SEC. 2. ANNUAL ENROLLMENT PERIOD FOR MEDICARE**
2 **SUPPLEMENTAL POLICIES.**

3 (a) IN GENERAL.—Section 1882 of the Social Secu-
4 rity Act (42 U.S.C. 1395ss), is amended by adding at the
5 end the following new subsection:

6 “(aa) ENROLLMENT PERIOD.—

7 “(1) IN GENERAL.—Beginning January 1,
8 2028, the issuer of a medicare supplemental policy
9 shall provide for a general enrollment period for
10 each year during which any individual eligible for
11 benefits under this title may enroll in any policy of-
12 fered by the issuer. Such enrollment period shall be
13 the same as the annual, coordinated election period
14 under section 1851(e)(3) for the year.

15 “(2) GUARANTEED ISSUE.—During the enroll-
16 ment period described in paragraph (1), the issuer
17 of a medicare supplemental policy may not deny or
18 condition the issuance or effectiveness of a medicare
19 supplemental policy, or discriminate in the pricing of
20 the policy, because of health status, claims experi-
21 ence, receipt of health care, or medical condition in
22 the case of an individual who seeks to enroll in the
23 policy during such period.

24 “(3) NONCOMPLIANCE.—The provisions of sub-
25 section (s)(4) shall apply to a failure to meet the re-
26 quirements of paragraph (2) in the same manner as

1 such provisions apply to a failure to meet the re-
2 quirements of subsection (s).”.

3 (b) OUTREACH PROGRAM.—Not later than 30 days
4 after the date of the enactment of this Act, the Secretary
5 of Health and Human Services shall update the applicable
6 information relating to the Medicare program that is pro-
7 vided in the notices commonly referred to as “Medicare
8 & You” and “Welcome to Medicare” pursuant to section
9 1804 of the Social Security Act (42 U.S.C. 1395b–2) to
10 include information on the effect of the amendment made
11 by this section.