AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6662
OFFERED BY MR. BRADY OF TEXAS

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Empowering Seniors’ Enrollment Decision Act of 2018”.

SEC. 2. EXTENDING THE SPECIAL ELECTION PERIOD UNDER PART C OF THE MEDICARE PROGRAM FOR CERTAIN DEEMED INDIVIDUALS ENROLLED IN A REASONABLE COST REIMBURSEMENT CONTRACT TO CERTAIN NON-DEEMED INDIVIDUALS ENROLLED IN SUCH CONTRACT.

Section 1851(e)(2)(F) of the Social Security Act (42 U.S.C. 1395w–21(e)(2)(F)) is amended—

(1) in the header, by striking “DEEMED ELECTIONS” and inserting “INDIVIDUALS ENROLLED IN A REASONABLE COST REIMBURSEMENT CONTRACT”;

and

(2) by amending clause (i) to read as follows:

“(i) IN GENERAL.—
“(I) Election period.—At any time during the period beginning after the last day of the annual, coordinated election period under paragraph (3) occurring during an applicable plan year and ending on the last day of February of the first plan year following such applicable plan year, an individual who is an eligible individual (as defined in subclause (II)) with respect to such applicable plan year may change the election under subsection (a)(1) (including changing the MA plan or MA–PD plan in which the individual is enrolled) for such first plan year.

“(II) Eligible individual.—In this clause, the term ‘eligible individual’ means, with respect to a plan year, an individual enrolled in a reasonable cost reimbursement contract under section 1876(h) that was extended or renewed for the last reasonable cost reimbursement contract year of the contract (as described in sub-
clause (I) of section 1876(h)(5)(C)(iv)) pursuant to such section.”.