

# H.R. \_\_\_\_\_

To rename the program under part C of title XVIII of the Social Security Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. Pocan introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To rename the program under part C of title XVIII of the Social Security Act, and for other purposes.

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

### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Save Medicare Act”.

### **SEC. 2. MEDICARE ADVANTAGE RENAMED.**

(a) IN GENERAL.—There is hereby established the “Alternative Private Health Plan” program. The Alternative Private Health Plan program shall consist of the program under part C of title XVIII of the Social Security Act (42 U.S.C. 1395w-21 et seq.).

(b) REFERENCES.—Notwithstanding section 201 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173) and subject to subsection (c), any reference to the program under part C of title XVIII of the Social Security Act (42 U.S.C. 1395w-21 et seq.) shall be deemed a reference to the Alternative Private Health Plan

program and, with respect to such part, any reference to “Medicare+Choice”, “Medicare Advantage”, or “MA” is deemed a reference to the Alternative Private Health Plan program.

(c) **TRANSITION.**—In order to provide for an orderly transition and avoid beneficiary and provider confusion, the Secretary of Health and Human Services shall provide for an appropriate transition in the use of the terms “Medicare Advantage”, “MA”, and “Alternative Private Health Plan” in reference to the program under part C of title XVIII of the Social Security Act (42 U.S.C. 1395w-21 et seq.). Such transition shall be fully completed for all materials for plan years beginning on or after October 15, 2022. Before the completion of such transition, any reference to the Alternative Private Health Plan program shall be deemed to include a reference to “Medicare+Choice”, “Medicare Advantage”, and “MA”.

### **SEC. 3. CIVIL MONEY PENALTY.**

Section 1128A of the Social Security Act (42 U.S.C. 1320a-7a) is amended by adding at the end the following:

“(t)(1) Any entity that advertises a plan under part C of title XVIII of this Act by using the term ‘Medicare’ in the title of the plan on or after the date of enactment of this Act shall be subject to a civil money penalty of \$100,000 for each instance of the use of the term in a plan title.

“(2) The provisions of subsection (c), (g), and (h) shall apply to a civil money penalty under this subsection in the same manner as such provisions apply to a penalty, assessment, or proceeding under subsection (a).”