

# Become an original cosponsor of the Achieving Equity in the Treatment of Dual Eligible Beneficiaries Act

Sending Office: Honorable Jenniffer Gonzalez-Colon  
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DEADLINE: MAY 18, 2022

Cosponsors: Soto, Velázquez, *Salazar*, Crist, *Fitzpatrick*, *Bacon*

Dear Colleague:

Please consider joining us as we introduce bipartisan legislation to address two longstanding disparities in Puerto Rico's Medicare program impacting hundreds of thousands of American citizens on the Island.

## 1. Puerto Rico has the lowest Medicare Advantage (MA) Rates in the Nation

630,000+ seniors in Puerto Rico are covered by MA, more than 80% of Puerto Rico's Medicare beneficiaries (the highest MA penetration in the nation). This includes more than 280,000 senior Medicaid enrollees ("dual-eligibles"), the Island's most vulnerable population, who receive their benefits through MA.

Puerto Ricans pay the same Federal Social Security payroll taxes, thus contributing to the Medicare Trust Fund in the same manner as their fellow American citizens in the States.

Historic statutory and economic anomalies have led to federal policies that disadvantage PR through extremely low benchmarks for the Island's MA program. In fact, current MA Rates in PR are 41% lower than the national average and the gap continues to grow every year.

Lower rates for MA have prevented adequate provider reimbursements, leading to a massive provider exodus to the U.S. mainland and overall erosion in Puerto Rico's healthcare infrastructure.

**LEGISLATIVE FIX PROVIDED IN THIS BILL** – This legislation would ensure that MA rates in Puerto Rico more accurately reflect the cost of delivering care by establishing a national minimum MA average geographic adjustment (AGA) of 0.7. Furthermore, requires that plans use no less than 50% of the increase in funds for enhanced provider compensation under Medicare Parts A & B benefits, while the remaining proportion is used for supplemental benefit enhancements and cost-sharing reductions.

## 2. Extends the Medicare Savings Program (MSP) to the U.S. Territories

Congress created the Medicare Savings Program (MSP), under which Medicaid pays some or all of the cost of Medicare Part B premiums for people eligible for both Medicaid and Medicare (aka "dual-eligibles").

MSP is mandatory in the States but optional in the Territories.

The limited and unpredictable allocation of Federal Medicaid funds to Puerto Rico has prevented the Island from participating in the MSP.

This has resulted in Puerto Rico having the lowest Medicare Part B participation rate in the Nation.

**LEGISLATIVE FIX PROVIDED IN THIS BILL** – Statutory language at SSA § 1905(p)(4) makes the Medicare Savings Program discretionary for the Territories. This legislation amends the SSA to end that discretionary option beginning in fiscal year 2024 and thereby ensures that Puerto Rico implements the Medicare Savings Program for 2024.

We urge you to join us in this effort by cosponsoring this critically needed legislation as we seek to mitigate some of the long-standing inequities in Puerto Rico’s Medicare program. To co-sponsor or if you have questions, please contact Gabriella Boffelli with Rep. González-Colón at [Gabriella.Boffelli@mail.house.gov](mailto:Gabriella.Boffelli@mail.house.gov) or Andrea Valdes with Rep. Soto at [Andrea.Valdes@mail.house.gov](mailto:Andrea.Valdes@mail.house.gov)

Sincerely,

Jenniffer González-Colón

Darren Soto

Member of Congress

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