

1 Title: To amend title XVIII of the Social Security Act to require the inclusion of certain  
2 information in encounter data under Medicare Advantage.

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

7 **SECTION 1. SHORT TITLE.**

8 This Act may be cited as the “\_\_\_\_\_ Act of \_\_\_\_”.

9 **SEC. 2. INCLUSION OF CERTAIN INFORMATION IN**  
10 **ENCOUNTER DATA UNDER MEDICARE ADVANTAGE.**

11 Section 1859 of the Social Security Act (42 U.S.C. 1395w–28) is amended by adding at the  
12 end the following new subsection:

13 “(j) Inclusion of Certain Information in Encounter Data.—

14 “(1) IN GENERAL.—In the case of any encounter data submitted by a Medicare Advantage  
15 plan with respect to an item or service furnished to an individual under such plan during a  
16 plan year beginning on or after January 1, 2026, the Secretary shall require that such data  
17 include—

18 “(A) the type of payment from the plan to the provider, such as, but not limited to  
19 capitation, value-based, or fee-for-service;

20 “(B) the allowed amount for such item or service;

21 “(C) the amount of cost sharing (including deductibles, copayments, and  
22 coinsurance) imposed for such item or service;

23 “(D) an indicator identifying encounter records including the provision of an at-  
24 home health risk assessment by a specified assessment entity;

25 “(E) an indicator identifying encounter records including the provision of an at-  
26 home health risk assessment by an assessment entity not described in subparagraph  
27 (D);

28 “(F) an indicator identifying encounter records including the provision of an at-  
29 home health risk assessment by an entity not described in subparagraphs (D) or (E);

30 “(G) an indicator identifying encounter records including the provision of a health  
31 risk assessment outside of the home by any entity;

32 “(H) an indicator of whether the item or service was provided in-network for the  
33 plan; and

34 “(I) the standard unique health identifier (described in section 1173(b)) of the  
35 ordering provider, in the case of data submitted with respect to—

36 “(i) durable medical equipment, prosthetics, orthotics, and supplies;

37 “(ii) laboratory tests;

1                   “(iii) imaging services;  
2                   “(iv) home health services; and  
3                   “(v) other items or services as determined by the Secretary.

4           “(2) DEFINITIONS.—For purposes of this subsection:

5                   “(A) ASSESSMENT ENTITY.—The term ‘assessment entity’ means an entity with a  
6                   focus on furnishing in-home health risk assessments, as specified by the Secretary.

7                   “(B) SPECIFIED ASSESSMENT ENTITY.—The term ‘specified assessment entity’  
8                   means, with respect to an MA organization and a plan year, an assessment entity with  
9                   respect to which such organization (or any person with an ownership or control interest  
10                  (as defined in section 1124(a)(3)) in such organization) is a person with an ownership  
11                  or control interest (as so defined).”.