

118TH CONGRESS
2D SESSION

S. 4781

To improve access to the Program of All-Inclusive Care for the Elderly,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2024

Mr. CASEY (for himself and Mr. BRAUN) introduced the following bill; which
was read twice and referred to the Committee on Finance

A BILL

To improve access to the Program of All-Inclusive Care
for the Elderly, and for other purposes.

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 “Program of All-Inclu-
5 sive Care for the Elderly Anytime Act” or the “PACE
6 Anytime Act”.

7 **SEC. 2. ANYTIME ENROLLMENT IN PACE.**

8 (a) IN GENERAL.—

9 (1) ANYTIME ENROLLMENT AND EFFECTIVE
10 DATE.—Section 1894(c)(5) of the Social Security

Act (42 U.S.C. 1395eee(c)(5)) is amended by adding
at the end the following new subparagraph:

“(C) ANYTIME ENROLLMENT AND EFFECTIVE DATE OF ENROLLMENT.—

“(i) ANYTIME ENROLLMENT.—A
PACE program eligible individual may enroll in a PACE program at any time during a month.

“(ii) EFFECTIVE DATE.—Subject to
clause (iii), the enrollment of a PACE program eligible individual in a PACE program shall be effective on the date the PACE provider operating the PACE program receives an enrollment agreement signed by such PACE program eligible individual with respect to such PACE program.

“(iii) SPECIAL RULE IN THE CASE OF
DUAL ELIGIBLE BENEFICIARIES.—In the
case of a PACE program eligible individual
who is eligible for benefits under this title
and title XIX, clause (i) shall only apply if
the State in which such individual resides
has made an election under section
1934(c)(5)(C) to permit PACE program

1 eligible individuals enroll in a PACE pro-
 2 gram at any time during a month in such
 3 State.”.

4 (2) PRORATED PAYMENTS.—Section 1894(d) of
 5 the Social Security Act (42 U.S.C. 1395eee(d)) is
 6 amended by adding at the end the following new
 7 paragraph:

8 “(4) PRORATED PAYMENTS.—In the case of a
 9 PACE program eligible individual enrolled in a
 10 PACE program operated by a PACE provider with
 11 an enrollment effective date that is not the first day
 12 of a month, the capitation amount that would other-
 13 wise be made under this subsection to the PACE
 14 provider for such individual for the first month in
 15 which such individual is so enrolled shall be prorated
 16 accordingly.”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) ANYTIME ENROLLMENT AND EFFECTIVE
 19 DATE.—Section 1934(c)(5) of the Social Security
 20 Act (42 U.S.C. 1396u–4(c)(5)) is amended by add-
 21 ing at the end the following new subparagraph:

22 “(C) STATE OPTION TO PERMIT ANYTIME
 23 ENROLLMENT AND EFFECTIVE DATE OF EN-
 24 ROLLMENT.—

1 “(i) ANYTIME ENROLLMENT.—A
 2 State may elect to permit a PACE pro-
 3 gram eligible individual to enroll in a
 4 PACE program at any time during a
 5 month.

6 “(ii) EFFECTIVE DATE.—Pursuant to
 7 a State election made under clause (i), the
 8 enrollment of a PACE program eligible in-
 9 dividual in a PACE program shall be effec-
 10 tive on the date the PACE provider oper-
 11 ating the PACE program receives an en-
 12 rollment agreement signed by such PACE
 13 program eligible individual with respect to
 14 such PACE program.”.

15 (2) PRORATED PAYMENTS.—Section 1934(d) of
 16 the Social Security Act (42 U.S.C. 1396u–4(d)) is
 17 amended by adding at the end the following new
 18 paragraph:

19 “(3) PRORATED PAYMENTS.—If a State elects
 20 under subsection (c)(5)(C) to permit enrollment at
 21 any time during a month, in the case of a PACE
 22 program eligible individual enrolled in a PACE pro-
 23 gram operated by a PACE provider with an enroll-
 24 ment effective date that is not the first day of a
 25 month, the State shall prorate the capitation amount

1 that would otherwise be made under this subsection
2 to the PACE provider for such individual for the
3 first month in which such individual is so enrolled.”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on January 1, 2025.

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