

Beneficiary Enrollment Notification and Eligibility Simplification Act (BENES Act)

Why do we need the BENES Act (S. 1280/H.R. 2477)?

Complex Medicare enrollment rules and lacking notification cause tens of thousands of older adults and people with disabilities to face lifetime fines, coverage gaps and other harmful consequences. With fewer people automatically enrolled in Medicare—and 10,000 Baby Boomers aging into Medicare each day—more people new to Medicare must actively enroll in the program.

Individuals who miss their initial Medicare enrollment window may pay lifetime late enrollment penalties, experience lengthy gaps in outpatient health coverage or face unaffordable and unexpected out-of-pocket health care costs. In 2019, about **763,000** people with Medicare were paying a Part B Late Enrollment Penalty (LEP) and the average LEP amounted to nearly a **28%** increase in a beneficiary's monthly premium¹.

What will the BENES Act do?

The bipartisan, bicameral BENES Act would direct the federal government to provide advance notice to individuals approaching Medicare eligibility about basic Medicare enrollment rules, filling a long-standing gap in education for older adults and people with disabilities.

The BENES Act would also eliminate needless multi-month coverage gaps in Medicare by mandating that Part B insurance begin the first of the month following one's enrollment during both the later months of their Initial Enrollment Period (IEP) and during the General Enrollment Period (GEP).

The BENES Act would also reduce confusion by aligning the annual GEP with the annual enrollment period for private Medicare Advantage (MA) and Part D prescription drug plans. Additionally, the BENES Act would allow the federal government to create a Part B Special Enrollment Period (SEP) for "exceptional circumstances," a provision currently used in MA and Part D when people are not able to sign up for Medicare due to occurrences like hurricanes and other natural disasters.

A bipartisan group of eight former Administrators of the Medicare program support the BENES Act and urged Congress to pass the bill, noting "...we all agree on the importance of treating Medicare beneficiaries fairly, efficiently, and as helpfully as possible."

Senate Sponsors: Senators Bob Casey* (D-PA), Todd Young* (R-IN), Susan Collins* (R-ME), Debbie Stabenow* (D-MI), Rob Portman* (R-OH), Christopher Coons* (D-DE), Rick Scott (R-FL), Krysten Sinema (D-AZ), Martha McSally (R-AZ), Sherrod Brown (D-OH), Pat Roberts (R-KS) and Tina Smith (D-MN)

House Sponsors: Representatives Raul Ruiz* (D-CA), Jackie Walorski* (R-IN), Brad Schneider* (D-IL), Gus Bilirakis* (R-FL), Scott Tipton (R-CO), Bill Posey (R-FL), Terri Sewell (D-AL), Bryan Steil (R-WI), Zoe Lofgren (D-CA), Suzan DelBene (D-WA), John Katko (R-NY), Brian Fitzpatrick (R-PA), Bobby Rush (D-IL), Ann Kuster (D-NH), Derek Kilmer (D-WA), C. A. Dutch Ruppersberger (D-MD), Chris Pappas (D-NH) and Chrissy Houlahan (D-PA)

Supporters: More than **90** national and state organizations representing older adults, people with disabilities, workers as well as insurers, including AARP, AFL-CIO, AHIP, Better Medicare Alliance, BlueCross BlueShield Association, CVS Health and Medicare Rights Center, among others.

¹ Provided by the Congressional Research Service

*Indicates an original Cosponsor