

119TH CONGRESS
2D SESSION

H. R. 9532

To amend title XVIII of the Social Security Act to prohibit group health plan payment clawbacks in certain circumstances.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2026

Mr. TORRES of New York (for himself and Ms. CLARKE of New York) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to prohibit group health plan payment clawbacks in certain circumstances.

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 “No Medicare
5 Clawbacks Act of 2026”.

1 **SEC. 2. PROHIBITING GROUP HEALTH PLAN PAYMENT**
2 **CLAWBACKS IN CERTAIN CIRCUMSTANCES.**

3 Section 1862(b) of the Social Security Act (42 U.S.C.
4 1395y(b)) is amended—

5 (1) in paragraph (1)(A)(ii)—

6 (A) by striking “Clause (i)” and inserting
7 the following:

8 “(I) IN GENERAL.—Clause (i)”;

9 and

10 (B) by adding at the end the following new
11 subclause:

12 “(II) PROHIBITION ON PAYMENT
13 CLAWBACKS IN CERTAIN CIR-
14 CUMSTANCES.—In the case of an item
15 or service furnished to an individual
16 entitled to benefits under this title
17 under section 226(a) who is also en-
18 rolled in a group health plan, if clause
19 (i) would otherwise apply to such indi-
20 vidual and plan but for application of
21 subclause (I) and if such plan initially
22 makes payment for such item or serv-
23 ice without regard to such entitle-
24 ment, such plan may not later recoup
25 such payment, in whole or part, on
26 the basis that such individual was so

1 entitled to such benefits, provided
2 that—

3 “(aa) such item or service
4 was furnished during a period of
5 retroactive coverage of part A
6 benefits applicable to such indi-
7 vidual; and

8 “(bb) at the time such item
9 or service was furnished, such in-
10 dividual was not behind on any
11 employee contribution owed by
12 such individual with respect to
13 enrollment in such plan.”; and

14 (2) in paragraph (3)(A), by inserting “or in the
15 case of a group health plan that recoups payment in
16 violation of paragraph (1)(A)(ii)(II)” before the pe-
17 riod.

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