

103^D CONGRESS
1ST SESSION

H. R. 1327

To amend title XVIII of the Social Security Act to provide for a limitation on the use of claim sampling to deny claims or recover overpayments under the medicare program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 1993

Mr. RICHARDSON introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Ways and Means

A BILL

To amend title XVIII of the Social Security Act to provide for a limitation on the use of claim sampling to deny claims or recover overpayments under the medicare program.

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. LIMITATION ON USE OF CLAIM SAMPLING TO**

4 **DENY CLAIMS OR RECOVER OVERPAYMENTS**

5 **UNDER MEDICARE.**

6 (a) LIMITATION ON USE OF CLAIM SAMPLING.—Sec-
7 tion 1869(a) of the Social Security Act (42 U.S.C.
8 1395ff(a)) is amended—

1 (1) by striking “(a) The determination” and in-
2 serting “(a)(1) Subject to paragraph (2), the deter-
3 mination”; and

4 (2) by adding at the end thereof the following
5 new paragraph:

6 “(2) Except for purposes of assessing civil money
7 penalties for fraud under section 1128A(a)—

8 “(A) the determination of whether an individual
9 is entitled to benefits under part A or part B shall
10 be based solely on the individual’s entitlement to
11 such benefits; and

12 “(B) the Secretary may not make any deter-
13 mination with respect to any claim for benefits de-
14 scribed in paragraph (1) by applying information ob-
15 tained through a process of claim sampling to such
16 claim.”.

17 (b) CONFORMING AMENDMENTS.—(1) Section
18 1862(f) of such Act (42 U.S.C. 1395y(f)) is amended by
19 striking “otherwise” and inserting “otherwise that meets
20 the requirements of section 1869(a)(2)”.

21 (2) Section 1869(b)(1) of such Act (42 U.S.C.
22 1395ff(b)(1)) is amended by striking “subsection (a)” and
23 inserting “subsection (a)(1)”.

1 **SEC. 2. EFFECTIVE DATE.**

2 The amendments made by section 1 shall apply to
3 determinations on claims for benefits under title XVIII of
4 the Social Security Act issued on or after the date of en-
5 actment of this Act.

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