

104TH CONGRESS
1ST SESSION

H. R. 580

To amend title XVIII of the Social Security Act and title 10, United States Code, to allow the Secretary of Health and Human Services to reimburse the Military Health Services System for care provided to Medicare-eligible military retirees and their spouses in the Military Health Services System.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1995

Mr. HEFLEY (for himself, Mr. PETE GEREN of Texas, Mr. BARTON of Texas, Mr. CONDIT, and Mr. SAM JOHNSON of Texas) introduced the following bill; which was referred to the Committee on Commerce and, in addition, to the Committees on Ways and Means and National Security, 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 and title 10, United States Code, to allow the Secretary of Health and Human Services to reimburse the Military Health Services System for care provided to Medicare-eligible military retirees and their spouses in the Military Health Services System.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MEDICARE PROGRAM PAYMENTS FOR HEALTH**
2 **CARE SERVICES PROVIDED IN THE MILITARY**
3 **HEALTH SERVICES SYSTEM.**

4 (a) PAYMENTS UNDER MEDICARE RISK CONTRACTS
5 PROGRAM.—Section 1876 of the Social Security Act (42
6 U.S.C. 1395mm) is amended by adding at the end the
7 following new subsection:

8 “(k) Notwithstanding any other provision of this sec-
9 tion, a managed health care plan established by the Sec-
10 retary of Defense under chapter 55 of title 10, United
11 States Code, shall be considered an eligible organization
12 under this section, and the Secretary shall make payments
13 to such a managed health care plan during a year on be-
14 half of any individuals entitled to benefits under this title
15 who are enrolled in such a managed health care plan dur-
16 ing the year. Such payments shall be made in the same
17 amounts and under similar terms and conditions under
18 which the Secretary makes payments to other eligible
19 organizations with risk sharing contracts under this
20 section.”.

21 (b) TEMPORARY PROVISION FOR WAIVER OF PART
22 B PREMIUM PENALTY.—Section 1839 of the Social Secu-
23 rity Act (42 U.S.C. 1395r) is amended by adding at the
24 end the following new subsection:

25 “(h) The premium increase required by subsection
26 (b) shall not apply with respect to a person who is enrolled

1 with a managed care plan that is established by the Sec-
2 retary of Defense under chapter 55 of title 10, United
3 States Code, and is recognized as an eligible organization
4 pursuant to section 1876(k), if such person first enrolled
5 in such plan prior to January 1, 1998.”.

6 (c) PAYMENTS UNDER PART A OF MEDICARE.—Sec-
7 tion 1814(c) of the Social Security Act (42 U.S.C.
8 1395f(c)) is amended—

9 (1) by redesignating the current matter as
10 paragraph (1); and

11 (2) by adding at the end the following new
12 paragraph:

13 “(2) Paragraph (1) shall not apply to services
14 provided by facilities of the uniformed services pur-
15 suant to chapter 55 of title 10, United States Code,
16 and subject to the provisions of section 1095 of such
17 title. With respect to such services, payments under
18 this title shall be made without regard to whether
19 the beneficiary under this title has paid the deduct-
20 ible and copayments amounts generally required by
21 this title.”.

22 (d) PAYMENTS UNDER PART B OF MEDICARE.—Sec-
23 tion 1835(d) of the Social Security Act (42 U.S.C.
24 1395n(d)) is amended—

1 (1) by redesignating the current matter as
2 paragraph (1); and

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

5 “(2) Paragraph (1) shall not apply to services pro-
6 vided by facilities of the uniformed services pursuant to
7 chapter 55 of title 10, United States Code, and subject
8 to the provisions of section 1095 of such title. With respect
9 to such services, payments under this title shall be made
10 without regard to whether the beneficiary under this title
11 has paid the deductible and copayments amounts generally
12 required by this title.”.

13 (e) CONFORMING AMENDMENTS TO THE THIRD
14 PARTY COLLECTION PROGRAM FOR MILITARY MEDICAL
15 FACILITIES.—(1) Section 1095(d) of title 10, United
16 States Code, is amended—

17 (A) by striking “XVIII or”; and

18 (B) by striking “1395” and inserting “1396”.

19 (2) Section 1095(h)(2) of such title is amended by
20 inserting after “includes” the following: “plans adminis-
21 tered under title XVIII of the Social Security Act (42
22 U.S.C. 1395 et seq.),”.

1 (f) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect at the end of the 30-day pe-
3 riod beginning on the date of the enactment of this Act.

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