

105TH CONGRESS
2D SESSION

H. R. 3126

To amend title XVIII of the Social Security Act to restore the nonapplicability of private contracts for the provision of Medicare benefits.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1998

Mr. KLECZKA (for himself, Mr. STARK, Mr. CARDIN, Mr. MATSUI, Mr. McDERMOTT, Mr. BARRETT of Wisconsin, Ms. RIVERS, and Mr. PALLONE) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on 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 restore the nonapplicability of private contracts for the provision of Medicare benefits.

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. RESTORATION OF NONAPPLICABILITY OF PRI-**
4 **VATE CONTRACTS FOR THE PROVISION OF**
5 **MEDICARE BENEFITS.**

6 (a) IN GENERAL.—Section 1802 of the Social Secu-
7 rity Act (42 U.S.C. 1395a(b)) is amended by striking sub-

1 section (b), as added by section 4507(a) of the Balanced
2 Budget Act of 1997, and inserting the following new sub-
3 section:

4 “(b) PROHIBITION ON PRIVATE CONTRACTS.—A pro-
5 vision of any contract, agreement, or other arrangement
6 that provides for waiver of the claims submission require-
7 ment under paragraph (4) of section 1848(g), for the
8 waiver of the billing limitation described in paragraphs (1)
9 and (2) of such section, or for both, is invalid and not
10 enforceable.”.

11 (b) CONFORMING AMENDMENTS.—

12 (1) Section 1862(a) of the Social Security Act
13 (42 U.S.C. 1395y(a)) is amended—

14 (A) by striking paragraph (19); and

15 (B) by redesignating paragraphs (20) and
16 (21) as paragraphs (19) and (20), respectively.

17 (2) Subsection (b) of section 4507 of the Bal-
18 anced Budget Act of 1997 (relating to report) is re-
19 pealed.

20 (c) EFFECTIVE DATE.—The amendments made by
21 subsection (a) and (b)(1) shall apply to items and services
22 furnished on or after the date of the enactment of this
23 Act, without regard to when a contract or other arrange-

1 ment relating to the provision of such items or services

2 may have been entered into.

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