

107TH CONGRESS
1ST SESSION

H. R. 1177

To amend title XVIII of the Social Security Act to limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2001

Mr. FRANK (for himself, Mr. BOEHLERT, Mr. KLECZKA, Mr. GILCHREST, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Mr. HILLIARD, Mr. ABERCROMBIE, Mr. MCNULTY, Mrs. MINK of Hawaii, Mr. BORSKI, Mr. CAPUANO, Mr. KILDEE, Mr. MCHUGH, Mr. FROST, Mr. FILNER, Mr. DOYLE, Mr. WEXLER, Mr. LANTOS, Mr. MCGOVERN, Mr. BRADY of Pennsylvania, Mrs. MALONEY of New York, Mr. EVANS, Mr. CLAY, Ms. CARSON of Indiana, Mr. PAYNE, and Mr. GORDON) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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 limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment.

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. LIMITING MEDICARE LATE ENROLLMENT PEN-**
2 **ALTY TO 10 PERCENT AND TWICE THE PE-**
3 **RIOD OF NO ENROLLMENT.**

4 (a) IN GENERAL.—The first sentence of section
5 1839(b) of the Social Security Act (42 U.S.C. 1395r(b))
6 is amended by striking “10 percent of the monthly pre-
7 mium so determined for each full 10 months” and insert-
8 ing “10 percent of the monthly premium so determined
9 for premiums paid during a period equal to twice the num-
10 ber of months in each of the full periods of 12 months”.

11 (b) CONFORMING AMENDMENTS.—(1) Section
12 1818(c)(6) of such Act (42 U.S.C. 1395i–2(e)), as amend-
13 ed by section 331 of the Medicare, Medicaid, and SCHIP
14 Benefits Improvement and Protection Act of 2000, as en-
15 acted into law by section 1(a)(6) of Public Law 106–554,
16 is amended by striking “may not exceed 10 percent and
17 shall only apply to premiums paid during a period equal
18 to twice the number of months in the full 12-month peri-
19 ods described in that section and”.

20 (2) Section 1818(g)(2)(B) of such Act (42 U.S.C.
21 1395i–2(g)(2)(B)) is amended by striking “by sub-
22 stituting” and all that follows and inserting the following:
23 “by substituting ‘section 1818 (without any increase re-
24 sulting from the application of section 1839(b) to such
25 section)’ for ‘section 1839 (without any increase under
26 subsection (b) thereof)’.”.

1 (c) EFFECTIVE DATE.—(1) The amendments made
2 by this section shall apply to premiums paid for months
3 beginning after the end of the 90-day period beginning
4 on the date of the enactment of this Act.

5 (2) In applying these amendments, months (before,
6 during, or after the month in which this Act is enacted)
7 in which an individual was or is required to pay an in-
8 creased premium shall be taken into account in deter-
9 mining the month in which the premium will no longer
10 be subject to an increase.

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