

107TH CONGRESS  
1ST SESSION

# H. R. 3540

To amend title XVIII of the Social Security Act to extend the minimum Medicare deadlines for filing claims to take into account delay in processing adjustments from secondary payor status to primary payor status.

---

## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2001

Mr. GEKAS (for himself and Mr. COSTELLO) 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 extend the minimum Medicare deadlines for filing claims to take into account delay in processing adjustments from secondary payor status to primary payor status.

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. ADJUSTMENT IN MINIMUM MEDICARE CLAIMS**  
2 **FILING DEADLINES TO ACCOUNT FOR DELAY**  
3 **IN PROCESSING ADJUSTMENTS FROM SEC-**  
4 **ONDARY TO PRIMARY PAYOR STATUS.**

5 (a) IN GENERAL.—Sections 1814(a)(1) and  
6 1835(a)(1) of the Social Security Act (42 U.S.C.  
7 1395f(a)(1), 1395n(a)(1)) are each amended by inserting  
8 “(but, in the case of items and services furnished to an  
9 individual during the period beginning on the date the in-  
10 dividual’s status under section 1862(b)(2) changes from  
11 having a group health plan that is primary plan to no  
12 longer having such a plan that is a primary plan and end-  
13 ing on the date of completion of the change of status, end-  
14 ing no earlier than 1 year after the date of completion  
15 of the change of status)” after “1 calendar year”.

16 (b) EFFECTIVE DATE; TRANSITION.—The amend-  
17 ments made by subsection (a) shall apply to items and  
18 services furnished on or after August 10, 1993.

19 (2) In the case of claims for items and services de-  
20 scribed in the matter inserted by the amendments made  
21 by subsection (a) and furnished on or after August 10,  
22 1993, and before the date of the enactment of this Act,  
23 notwithstanding any other provision of law, the deadline  
24 for submission of such claims under parts A and B of title  
25 XVIII of the Social Security Act shall in no case expire

1 before the end of the 1-year period beginning on the date  
2 of the enactment of this Act.

○