

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5714

To amend title II of the Social Security Act to prohibit the inclusion of Social Security account numbers on Medicare cards.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2010

Mr. DOGGETT (for himself, Mr. SAM JOHNSON of Texas, Mr. BLUMENAUER, Mr. WILSON of Ohio, Ms. KILROY, Mr. GENE GREEN of Texas, Mr. HILL, Mrs. KIRKPATRICK of Arizona, Mr. STARK, Mr. GONZALEZ, Mr. GORDON of Tennessee, Ms. HIRONO, Mr. CAMP, Mr. HERGER, Mr. BRADY of Texas, Ms. SCHAKOWSKY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN of Virginia, Mr. LINDER, Mr. McDERMOTT, and Mr. FARR) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act to prohibit the inclusion of Social Security account numbers on Medicare cards.

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. SHORT TITLE.**

4 This Act may be cited as the “Medicare Identity  
5 Theft Prevention Act of 2010”.

1 **SEC. 2. PROHIBITION OF INCLUSION OF SOCIAL SECURITY**  
2 **ACCOUNT NUMBERS ON MEDICARE CARDS.**

3 (a) IN GENERAL.—Section 205(c)(2)(C) of the Social  
4 Security Act (42 U.S.C. 405(c)(2)(C)), as amended by  
5 section 1414(a)(2) of the Patient Protection and Afford-  
6 able Care Act (Public Law 111–148), is amended by add-  
7 ing at the end the following new clause:

8 “(xi) The Secretary of Health and Human Services,  
9 in consultation with the Commissioner of Social Security,  
10 shall establish cost-effective procedures to ensure that a  
11 social security account number (or any derivative thereof)  
12 is not displayed, coded, or embedded on the Medicare card  
13 issued to an individual who is entitled to benefits under  
14 part A of title XVIII or enrolled under part B of title  
15 XVIII and that any other identifier displayed on such card  
16 is easily identifiable as not being the social security ac-  
17 count number (or a derivative thereof).”.

18 (b) EFFECTIVE DATE.—

19 (1) IN GENERAL.—The amendment made by  
20 subsection (a) shall apply with respect to Medicare  
21 cards issued on and after an effective date specified  
22 by the Secretary of Health and Human Services, but  
23 in no case shall such effective date be later than the  
24 date that is 24 months after the date adequate fund-  
25 ing is provided pursuant to subsection (d)(2).

1           (2) REISSUANCE.—Subject to subsection (d)(2),  
2           in the case of individuals who have been issued such  
3           cards before such date, the Secretary of Health and  
4           Human Services—

5                   (A) shall provide for the reissuance for  
6                   such individuals of such a card that complies  
7                   with such amendment not later than 3 years  
8                   after the effective date specified under para-  
9                   graph (1); and

10                   (B) may permit such individuals to apply  
11                   for the reissuance of such a card that complies  
12                   with such amendment before the date of  
13                   reissuance otherwise provided under subpara-  
14                   graph (A) in such exceptional circumstances as  
15                   the Secretary may specify.

16           (c) OUTREACH PROGRAM.—Subject to subsection  
17           (d)(2), the Secretary of Health and Human Services, in  
18           consultation with the Commissioner of Social Security,  
19           shall conduct an outreach program to Medicare bene-  
20           ficiaries and providers about the new Medicare card pro-  
21           vided under this section.

22           (d) REPORT TO CONGRESS AND LIMITATIONS ON EF-  
23           FECTIVE DATE.—

24                   (1) REPORT.—Not later than 90 days after the  
25                   date of the enactment of this Act, the Secretary of

1 Health and Human Services, acting through the Ad-  
2 ministrator of the Centers for Medicare & Medicaid  
3 Services and in consultation with the Commissioner  
4 of Social Security, shall submit to Congress a report  
5 that includes detailed options regarding the imple-  
6 mentation of this section, including line-item esti-  
7 mates of and justifications for the costs associated  
8 with such options and estimates of timeframes for  
9 each stage of implementation. In recommending  
10 such options, the Secretary shall take into consider-  
11 ation, among other factors, cost-effectiveness and  
12 beneficiary outreach and education.

13 (2) LIMITATION; MODIFICATION OF DEAD-  
14 LINES.—With respect to the amendment made by  
15 subsection (a), and the requirements of subsections  
16 (b) and (c)—

17 (A) such amendment and requirements  
18 shall not apply until adequate funding is appro-  
19 priated pursuant to paragraph (3) to implement  
20 the provisions of this section, as determined by  
21 Congress; and

22 (B) any deadlines otherwise established  
23 under this section for such amendment and re-  
24 quirements are contingent upon the receipt of

1           adequate funding (as determined in subpara-  
2           graph (A)) for such implementation.

3           The previous sentence shall not affect the timely  
4           submission of the report required under paragraph  
5           (1).

6           (3) AUTHORIZATION OF APPROPRIATIONS.—

7           (A) IN GENERAL.—In addition to any  
8           amounts made available to the Secretary of  
9           Health and Human Services for the Program  
10          Management Account of the Centers for Medi-  
11          care & Medicaid Services for administrative ex-  
12          penses and to the Commissioner of Social Secu-  
13          rity for administrative expenses, and subject to  
14          subparagraph (B), taking into consideration the  
15          report submitted under paragraph (1), there  
16          are authorized to be appropriated such sums as  
17          are necessary to carry out the previous sub-  
18          sections of this section, including section  
19          205(c)(2)(C)(xi) of the Social Security Act, as  
20          added by subsection (a), for each of the five fis-  
21          cal years beginning after the date of submittal  
22          of the report under paragraph (1).

1                   (B) LIMITATION.—Such funds are not au-  
2                   thorized to be appropriated until after receipt of  
3                   the report provided under paragraph (1).

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