

113TH CONGRESS  
1ST SESSION

# H. R. 2329

To amend title XVIII of the Social Security Act to provide for a maximum period of 2 years for submissions of Medicare part B claims originally submitted by hospitals as Medicare part A claims and of 60 days for certain such submissions for one-day stays; and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2013

Mr. SMITH of Nebraska (for himself, Mr. SAM JOHNSON of Texas, Mr. NUNES, Mr. TIBERI, Mr. ROSKAM, Mr. PRICE of Georgia, Mr. SCHOCK, Mrs. BLACK, Mr. REED, Mr. YOUNG of Indiana, Mr. KELLY of Pennsylvania, Mr. BENISHEK, and Ms. JENKINS) 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

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## A BILL

To amend title XVIII of the Social Security Act to provide for a maximum period of 2 years for submissions of Medicare part B claims originally submitted by hospitals as Medicare part A claims and of 60 days for certain such submissions for one-day stays; and for other purposes.

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. SHORT TITLE.**

2 This Act may be cited as the “Administrative Relief  
3 and Accurate Medicare Payments Act of 2013”.

4 **SEC. 2. MAXIMUM PERIOD OF 2 YEARS FOR SUBMISSIONS**  
5 **OF MEDICARE PART B CLAIMS ORIGINALLY**  
6 **SUBMITTED BY HOSPITALS AS MEDICARE**  
7 **PART A CLAIMS AND OF 60 DAYS FOR CER-**  
8 **TAIN SUCH SUBMISSIONS FOR ONE-DAY**  
9 **STAYS.**

10 (a) **TIMELY SUBMISSION AS CONDITION FOR PRO-**  
11 **VIDER PAYMENT.—**

12 (1) **IN GENERAL.—**Section 1835 of the Social  
13 Security Act (42 U.S.C. 1395n) is amended—

14 (A) in subsection (a)(1), by inserting be-  
15 fore the semicolon the following: “or, in the  
16 case of a claim described in paragraph (1) or  
17 (2) of subsection (f), no later than the close of  
18 the period described in such respective para-  
19 graph”; and

20 (B) by adding at the end the following new  
21 subsection:

22 “(f) For purposes of subsection (a)(1) and section  
23 1842(b)(3)(B)—

24 “(1) in the case of a claim not described in  
25 paragraph (2) for hospital services submitted under  
26 this part for which there was a previous claim as in-

1 patient hospital services under part A that was de-  
2 nied as not reasonable and necessary pursuant to  
3 section 1862(a)(1), the period described in this para-  
4 graph is the period ending 2 calendar years after the  
5 date of service; and

6 “(2) in the case of a claim for hospital services  
7 submitted under this part for which there was a pre-  
8 vious claim as inpatient hospital services under part  
9 A for a length of stay that does not include more  
10 than one midnight that was denied as not reasonable  
11 and necessary by a qualified independent contractor  
12 through a reconsideration conducted under section  
13 1869(e), the period described in this paragraph is  
14 the period ending 60 days after the date of receipt  
15 of the notice required under section 1869(c)(3)(C)(i)  
16 of the decision for such denial with respect to such  
17 reconsideration.”.

18 (2) CONFORMING AMENDMENT TO EXCEPTIONS  
19 AUTHORITY.—Section 1835(a) of such Act (42  
20 U.S.C. 1395n(a)) is amended in the last sentence by  
21 inserting “and the periods described in paragraphs  
22 (1) and (2) of subsection (f)” after “1 calendar year  
23 period specified in such paragraph”.

24 (b) APPLICATION TO REASONABLE CHARGE ADMIN-  
25 ISTRATIVE PROVISION.—

1           (1) IN GENERAL.—Section 1842(b)(3)(B) of  
 2           the Social Security Act (42 U.S.C. 1395u(b)(3)(B))  
 3           is amended by inserting “or, in the case of a claim  
 4           described in paragraph (1) or (2) of section 1835(f),  
 5           no later than the close of the period described in  
 6           such respective paragraph” after “date of service”.

7           (2) CONFORMING AMENDMENT TO EXCEPTIONS  
 8           AUTHORITY.—Section 1842(b)(3) of such Act (42  
 9           U.S.C. 1395u(b)(3)) is amended in the last sentence  
 10          by inserting “and the periods described in para-  
 11          graphs (1) and (2) of section 1835(f)” after “1 cal-  
 12          endar year period specified in such paragraph”.

13          (c) EFFECTIVE DATE.—The amendments made by  
 14          this section shall apply to services furnished on or after  
 15          October 1, 2013.

16   **SEC. 3. MAXIMUM LOOK-BACK PERIOD OF 3 YEARS FOR**  
 17                                    **MEDICARE RECOVERY AUDIT CONTRACTORS’**  
 18                                    **AUDIT AND RECOVERY ACTIVITIES.**

19          (a) IN GENERAL.—Section 1893(h)(4)(B) of the So-  
 20          cial Security Act (42 U.S.C. 1395ddd(h)(4)(B)) is amend-  
 21          ed by striking “4 fiscal years” and inserting “3 fiscal  
 22          years”.

23          (b) EFFECTIVE DATE.—The amendment made by  
 24          subsection (a) shall apply with respect to payments made

1 for items and services furnished on or after October 1,  
2 2013.

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