

105TH CONGRESS
1ST SESSION

H. R. 2577

To exempt certain individuals who were 65 years of age or older as of the date of the enactment of the Omnibus Budget Reconciliation Act of 1993 from changes made by the Act in the Medicare secondary payer rules for individuals with end stage renal disease.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 1997

Mrs. THURMAN 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 exempt certain individuals who were 65 years of age or older as of the date of the enactment of the Omnibus Budget Reconciliation Act of 1993 from changes made by the Act in the Medicare secondary payer rules for individuals with end stage renal disease.

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. EXEMPTION OF CERTAIN INDIVIDUALS FROM**
2 **CHANGES MADE BY THE OMNIBUS BUDGET**
3 **RECONCILIATION ACT OF 1993 IN THE MEDI-**
4 **CARE SECONDARY PAYER RULES FOR INDIV-**
5 **IDUALS WITH END STAGE RENAL DISEASE.**

6 Effective as of the date of the enactment of the Omni-
7 bus Budget Reconciliation Act of 1993 (Public Law 103–
8 66), the amendments made by paragraphs (2) and (3) of
9 section 13561(c) of such Act (107 Stat. 593) shall not
10 apply to an individual who—

11 (1) was 65 years of age or older as of the date
12 of the enactment of such Act,

13 (2) was eligible for benefits under part A of
14 title XVIII of the Social Security Act under section
15 226(a) of such Act (42 U.S.C. 426(a)) before the in-
16 dividual is determined to have end stage renal dis-
17 ease, and

18 (3) applies to the Secretary of Health and
19 Human Services for treatment under this section
20 within 90 days after the date of the enactment of
21 this Act.

22 The Secretary of Health and Human Services shall pro-
23 vide for such retrospective payment adjustments to such
24 individuals, and to their insurers and health care provid-
25 ers, as may be necessary to carry out this section.