

105TH CONGRESS  
1ST SESSION

# S. 369

To amend section 1128B of the Social Security Act to repeal the criminal penalty for fraudulent disposition of assets in order to obtain medicaid benefits added by section 217 of the Health Insurance Portability and Accountability Act of 1996.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 1997

Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. CHAFEE, Ms. MIKULSKI, Ms. COLLINS, Mrs. MURRAY, Mr. DODD, Mr. HOLLINGS, Mr. GLENN, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend section 1128B of the Social Security Act to repeal the criminal penalty for fraudulent disposition of assets in order to obtain medicaid benefits added by section 217 of the Health Insurance Portability and Accountability Act of 1996.

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. REPEAL OF CRIMINAL PENALTY FOR FRAUDU-**  
2 **LENT DISPOSITION OF ASSETS IN ORDER TO**  
3 **OBTAIN MEDICAID BENEFITS.**

4 (a) REPEAL.—Section 1128B(a) of the Social Secu-  
5 rity Act (42 U.S.C. 1320a–7b(a)), as amended by section  
6 217 of the Health Insurance Portability and Accountabil-  
7 ity Act of 1996 (Public Law 104–191; 110 Stat. 2008),  
8 is amended—

9 (1) by adding “or” at the end of paragraph (4);

10 (2) by striking “or” at the end of paragraph

11 (5) and inserting a comma; and

12 (3) by striking paragraph (6).

13 (b) EFFECTIVE DATE.—The amendments made by  
14 subsection (a) take effect as if included in the enactment  
15 of the Health Insurance Portability and Accountability  
16 Act of 1996 (Public Law 104–191; 110 Stat. 1936).

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