

106TH CONGRESS  
1ST SESSION

# H. R. 1455

To amend title XI of the Social Security Act and the Internal Revenue Code of 1986 to establish a mechanism to promote the provision of Medicare cost-sharing assistance to eligible low-income Medicare beneficiaries.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1999

Mr. McDERMOTT (for himself, Mr. STARK, and Mr. BERRY) 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

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## A BILL

To amend title XI of the Social Security Act and the Internal Revenue Code of 1986 to establish a mechanism to promote the provision of Medicare cost-sharing assistance to eligible low-income Medicare beneficiaries.

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 “QMB Improvement  
5 Act of 1999”.

1 **SEC. 2. MECHANISM PROMOTING PROVISION OF MEDICARE**  
2 **COST-SHARING ASSISTANCE TO ELIGIBLE**  
3 **LOW-INCOME MEDICARE BENEFICIARIES.**

4 (a) IN GENERAL.—Part A of title XI of the Social  
5 Security Act is amended by adding at the end the fol-  
6 lowing:

7 “PROMOTING PROVISION OF MEDICARE COST-SHARING  
8 ASSISTANCE UNDER MEDICAID PROGRAM FOR IDEN-  
9 TIFIED LOW-INCOME MEDICARE BENEFICIARIES

10 “SEC. 1147. (a) REQUIREMENT FOR DATA  
11 MATCH.—

12 “(1) REQUESTING MATCHING INFORMATION.—

13 The Commissioner of Social Security shall, not less  
14 often than annually beginning with 2001, transmit  
15 to the Secretary of the Treasury a list of the names  
16 and TINs of Medicare beneficiaries (as defined in  
17 section 6103(l)(15) of the Internal Revenue Code of  
18 1986) and request that such Secretary disclose to  
19 the Secretary of Health and Human Services the in-  
20 formation described in subparagraph (A) of such  
21 section.

22 “(2) SPECIFICATION OF INCOME LEVELS.—The  
23 Secretary shall specify—

24 “(A) the items that will be included in de-  
25 termination of income for purposes of applying

1 this section and section 6103(l)(15)(A)(i) of the  
2 Internal Revenue Code of 1986; and

3 “(B) the levels of such income (based upon  
4 a percentage of the Federal poverty guidelines)  
5 that individuals may have and qualify for med-  
6 ical assistance under section 1902(a)(10)(E)(i)  
7 of the Social Security Act (relating to assist-  
8 ance for Medicare cost-sharing benefits under  
9 the Medicaid program).

10 “(b) NOTICE TO INDIVIDUALS IDENTIFIED.—

11 “(1) INITIAL ELIGIBILITY.—The Secretary  
12 promptly shall provide for an appropriate notice to  
13 each individual identified under subsection (a) who  
14 is described in section 6103(l)(15)(A)(i), of the fol-  
15 lowing:

16 “(A) Subject to subparagraph (B), the in-  
17 dividual is deemed eligible for some form of  
18 medical assistance for some Medicare cost-shar-  
19 ing under clause (i) or (iii) of section  
20 1902(a)(10)(E), depending on the individual’s  
21 level of income.

22 “(B) By accepting such assistance the in-  
23 dividual is obligated to notify the Secretary if  
24 the individual is not eligible for such assistance  
25 due to—

1 “(i) the individual having tax-exempt  
2 income;

3 “(ii) the individual having countable  
4 assets in excess of the maximum permis-  
5 sible assets, if the individual resides in a  
6 State that imposes an asset test for such  
7 eligibility; or

8 “(iii) the individual otherwise is not  
9 eligible for such assistance.

10 “(C) If the individual accepts such assist-  
11 ance notwithstanding that the individual is not  
12 eligible, the individual is liable to the State for  
13 the amount of medical assistance provided (with  
14 interest).

15 “(2) CONTINUED ELIGIBILITY.—The Secretary  
16 shall provide for an appropriate notice to each indi-  
17 vidual identified under subsection (a) who is de-  
18 scribed in section 6103(l)(15)(A)(ii), of the fol-  
19 lowing: ‘Unless the individual declines coverage or  
20 indicates otherwise, the individual will be enrolled  
21 for the appropriate assistance with Medicare cost-  
22 sharing under the State plan operated under title  
23 XIX for the State in which the individual resides.’

24 “(c) NOTICE TO STATE.—In the case of an individual  
25 who is identified under this section and resides in a State,

1 the Secretary shall provide for appropriate notice to the  
2 State of the individual's eligibility for medical assistance  
3 under clause (i) or (iii) of section 1902(a)(10)(E), as the  
4 case may be.”.

5 (b) CONFORMING AMENDMENT TO MEDICAID PRO-  
6 GRAM.—Section 1902 of such Act (42 U.S.C. 1396a) is  
7 amended by adding at the end the following:

8 “(aa) A State shall treat an individual who is identi-  
9 fied under section 1147(b) as being eligible for medical  
10 assistance under clause (i) or (ii) of subsection (a)(10)(E)  
11 as being so eligible, until the Secretary notifies the State  
12 otherwise, with respect to medical assistance for items and  
13 services furnished on or after the date of the notice.”.

14 (c) AUTHORIZATION OF DISCLOSURE.—Section  
15 6103(l) of the Internal Revenue Code of 1986 (relating  
16 to disclosure of returns and return information for pur-  
17 poses other than tax administration) is amended by add-  
18 ing at the end the following new paragraph:

19 “(15) DISCLOSURE OF CERTAIN INFORMATION  
20 IN ORDER TO QUALIFY FOR MEDICARE COST-SHAR-  
21 ING ASSISTANCE.—

22 “(A) IN GENERAL.—The Secretary shall,  
23 upon written request from the Commissioner of  
24 Social Security, disclose to the Secretary of  
25 Health and Human Services, whether with re-

1 spect to any Medicare beneficiary (as defined in  
2 paragraph (12)(E)(i)) identified by the  
3 Commissioner—

4 “(i) there has not been filed an in-  
5 come tax return for the most recent period  
6 for which the Secretary has information; or  
7 there has been such a return filed and the  
8 amount of the gross income (or the sum of  
9 such elements of gross income as the Sec-  
10 retary of Health and Human Services may  
11 specify) is below such level (or levels) as  
12 such Secretary may specify to carry out  
13 section 1147(b) of the Social Security Act,  
14 treating the number of dependents as the  
15 size of the family involved; and

16 “(ii) whether, for such an individual  
17 who qualified for Medicare cost-sharing as-  
18 sistance described in section 1147 at any  
19 time in the previous year, the individual is  
20 still described in clause (i).

21 “(B) DISCLOSURE BY HEALTH CARE FI-  
22 NANCING ADMINISTRATION.—With respect to  
23 information disclosed under subparagraph (A),  
24 the Administrator of the Health Care Financing  
25 Administration may disclose to the appropriate

1 officials of a State responsible for administra-  
2 tion of a State plan under title XIX of the So-  
3 cial Security Act the name, address, and TIN  
4 of the preliminary eligibility determination.

5 “(C) SPECIAL RULES.—

6 “(i) RESTRICTIONS ON DISCLO-  
7 SURE.—Information may be disclosed  
8 under this paragraph only for purposes of,  
9 and to the extent necessary in, determining  
10 the extent to which an individual bene-  
11 ficiary is entitled to medical assistance  
12 under a State plan under title XIX of the  
13 Social Security Act for some or all Medi-  
14 care cost-sharing.

15 “(ii) TIMELY RESPONSES TO RE-  
16 QUESTS.—Any request made under sub-  
17 paragraph (A) shall be complied with as  
18 soon as possible but in no event later than  
19 60 days after the date the request was  
20 made.”.

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