

106TH CONGRESS
1ST SESSION

H. R. 854

To amend title XIX of the Social Security Act to provide for the presumptive eligibility of Medicare beneficiaries for the qualified Medicare beneficiary and special low-income Medicare beneficiary programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 1999

Mr. BENTSEN introduced the following bill; which was referred to the
Committee on Commerce

A BILL

To amend title XIX of the Social Security Act to provide for the presumptive eligibility of Medicare beneficiaries for the qualified Medicare beneficiary and special low-income Medicare beneficiary programs, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Low-Income Medicare
5 Beneficiary Assistance Act of 1999”.

1 **SEC. 2. PRESUMPTIVE ELIGIBILITY OF CERTAIN LOW-IN-**
 2 **COME INDIVIDUALS FOR MEDICARE COST-**
 3 **SHARING UNDER THE QMB OR SLMB PRO-**
 4 **GRAM.**

5 Title XIX of the Social Security Act is amended by
 6 inserting after section 1920A the following new section:

7 “PRESUMPTIVE ELIGIBILITY OF CERTAIN LOW-INCOME
 8 INDIVIDUALS

9 “SEC. 1920B. (a) A State plan approved under sec-
 10 tion 1902 shall provide for making medical assistance with
 11 respect to medicare cost-sharing covered under the State
 12 plan available to a low-income individual on the date the
 13 low-income individual becomes entitled to benefits under
 14 part A of title XVIII during a presumptive eligibility pe-
 15 riod.

16 “(b) For purposes of this section:

17 “(1) The term ‘low-income individual’ means an
 18 individual who at the age of 65 years is described—

19 “(A) in section 1902(a)(10)(E)(i), or

20 “(B) in section 1902(a)(10)(E)(iii).

21 “(2) The term ‘medicare cost-sharing’—

22 “(A) with respect to an individual de-
 23 scribed in paragraph (1)(A), has the meaning
 24 given such term in section 1905(p)(3).

1 “(B) with respect to an individual de-
2 scribed in paragraph (1)(B), has the meaning
3 given such term in section 1905(p)(3)(A).

4 “(3) The term ‘presumptive eligibility period’
5 means, with respect to a low-income individual, the
6 period that—

7 “(A) begins with the date on which a
8 qualified entity determines, on the basis of pre-
9 liminary information, that the income and re-
10 sources of the individual do not exceed the ap-
11 plicable income and resource level of eligibility
12 under the State plan, and

13 “(B) ends with (and includes) the earlier
14 of—

15 “(i) the day on which a determination
16 is made with respect to the eligibility of
17 the low-income individual for medical as-
18 sistance for medical cost-sharing under the
19 State plan, or

20 “(ii) in the case of a low-income indi-
21 vidual on whose behalf an application is
22 not filed by the last day of the month fol-
23 lowing the month during which the entity
24 makes the determination referred to in
25 subparagraph (A), such last day.

1 “(4)(A) Subject to subparagraph (B), the term
2 ‘qualified entity’ means any of the following:

3 “(i) Qualified individuals within the Social
4 Security Administration.

5 “(ii) An entity determined by the State
6 agency to be capable of making determinations
7 of the type described in paragraph (3).

8 “(B) The Secretary may issue regulations fur-
9 ther limiting those entities that may become quali-
10 fied entities in order to prevent fraud and abuse and
11 for other reasons.

12 “(c)(1) The State agency, after consultation with the
13 Secretary, shall provide qualified entities with—

14 “(A) such forms as are necessary for an appli-
15 cation to be made on behalf of a low-income individ-
16 ual for medical assistance for medical cost-sharing
17 under the State plan, and

18 “(B) information on how to assist low-income
19 individuals and other persons in completing and fil-
20 ing such forms.

21 “(2) A qualified entity that determines under sub-
22 section (b)(2)(A) that a low-income individual is presump-
23 tively eligible for medical assistance for medical cost-shar-
24 ing under a State plan shall—

1 “(A) notify the State agency of the determina-
2 tion within 5 working days after the date on which
3 the determination is made, and

4 “(B) inform the low-income individual at the
5 time the determination is made that an application
6 for medical assistance for medical cost-sharing under
7 the State plan is required to be made by not later
8 than the last day of the month following the month
9 during which the determination is made.

10 “(3) In the case of a low-income individual who is
11 determined by a qualified entity to be presumptively eligi-
12 ble for medical assistance for medical cost-sharing under
13 a State plan, the low-income individual shall make applica-
14 tion for medical assistance for medical cost-sharing under
15 such plan by not later than the last day of the month fol-
16 lowing the month during which the determination is made.

17 “(d) Notwithstanding any other provision of this title,
18 medical assistance for medicare cost-sharing that—

19 “(1) is furnished to a low-income individual
20 during a presumptive eligibility period under the
21 State plan; and

22 “(2) is included in the services covered by a
23 State plan;
24 shall be treated as medical assistance provided by such
25 plan for purposes of section 1903.”.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR OUT-**
2 **REACH EFFORTS.**

3 There is authorized to be appropriated to the Sec-
4 retary of Health and Human Services \$12,000,000 for the
5 purpose of conducting outreach efforts to increase aware-
6 ness of the availability of medical assistance for medicare
7 cost-sharing under a State plan under title XIX of the
8 Social Security Act to eligible low-income medicare bene-
9 ficiaries described in clauses (i) and (iii), respectively, of
10 section 1902(a)(10)(E) of such Act (42 U.S.C.
11 1396a(a)(10)(E)).

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