

108TH CONGRESS
1ST SESSION

H. R. 1321

To amend title XVIII of the Social Security Act to limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2003

Mr. FRANK of Massachusetts (for himself, Mr. NEAL of Massachusetts, Mr. BOEHLERT, Mr. GOODE, Mr. McNULTY, Ms. GINNY BROWN-WAITE of Florida, Mr. SCHIFF, Mr. KILDEE, Mr. LaTOURETTE, Mr. KLECZKA, Mr. OLVER, Mr. LIPINSKI, Mr. FROST, Ms. SCHAKOWSKY, Ms. NORTON, Mr. BERRY, and Mr. GORDON) 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

A BILL

To amend title XVIII of the Social Security Act to limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment.

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. LIMITING MEDICARE LATE ENROLLMENT PEN-**
 2 **ALTY TO 10 PERCENT AND TWICE THE PE-**
 3 **RIOD OF NO ENROLLMENT.**

4 (a) IN GENERAL.—The first sentence of section
 5 1839(b) of the Social Security Act (42 U.S.C. 1395r(b))
 6 is amended by striking “10 percent of the monthly pre-
 7 mium so determined for each full 10 months” and insert-
 8 ing “10 percent of the monthly premium so determined
 9 for premiums paid during a period equal to twice the num-
 10 ber of months in each of the full periods of 12 months”.

11 (b) CONFORMING AMENDMENTS.—(1) Section
 12 1818(c)(6) of such Act (42 U.S.C. 1395i–2(c)) is amended
 13 by striking “may not exceed 10 percent and shall only
 14 apply to premiums paid during a period equal to twice
 15 the number of months in the full 12-month periods de-
 16 scribed in that section and”.

17 (2) Section 1818(g)(2)(B) of such Act (42 U.S.C.
 18 1395i–2(g)(2)(B)) is amended by striking “by sub-
 19 stituting” and all that follows and inserting the following:
 20 “by substituting ‘section 1818 (without any increase re-
 21 sulting from the application of section 1839(b) to such
 22 section)’ for ‘section 1839 (without any increase under
 23 subsection (b) thereof)’.”.

24 (c) EFFECTIVE DATE.—(1) The amendments made
 25 by this section shall apply to premiums paid for months

1 beginning after the end of the 90-day period beginning
2 on the date of the enactment of this Act.

3 (2) In applying these amendments, months (before,
4 during, or after the month in which this Act is enacted)
5 in which an individual was or is required to pay an in-
6 creased premium shall be taken into account in deter-
7 mining the month in which the premium will no longer
8 be subject to an increase.

○