

108TH CONGRESS  
2D SESSION

# H. R. 5309

To extend the filing deadline for certain Medicare claims to account for a delay in processing adjustments from secondary payor status to primary payor status.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2004

Mr. COSTELLO introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and 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 extend the filing deadline for certain Medicare claims to account for a delay in processing adjustments from secondary payor status to primary payor status.

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. EXTENDING THE FILING DEADLINE FOR CER-**  
4 **TAIN MEDICARE CLAIMS TO ACCOUNT FOR A**  
5 **DELAY IN PROCESSING ADJUSTMENTS FROM**  
6 **SECONDARY TO PRIMARY PAYOR STATUS.**

7 (a) EXTENSION OF CLAIMS FILING PERIOD.—Not-  
8 withstanding sections 1814(a)(1) and 1835(a)(1) of the

1 Social Security Act (42 U.S.C. 1395f(a)(1), 1395n(a)(1)),  
2 claims described in subsection (b) may also be filed under  
3 parts A and B of title XVIII of the Social Security Act  
4 during the 1-year period beginning on the date of the en-  
5 actment of this Act.

6 (b) CLAIMS DESCRIBED.—For purposes of subsection  
7 (a), a claim described in this subsection is a claim for  
8 items and services that are furnished—

9 (1) on or after January 1, 1987, and before  
10 August 10, 1993; and

11 (2) to an individual during the period beginning  
12 on the date the individual's status under section  
13 1862(b)(2) of the Social Security Act (42 U.S.C.  
14 1395y(b)(2)) changes from having a group health  
15 plan that is primary plan to no longer having such  
16 a plan that is a primary plan and ending on the date  
17 of completion of the change of status.

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