

111TH CONGRESS
1ST SESSION

H. R. 4240

To provide for a grace period in which durable medical equipment suppliers may meet Medicare accreditation and surety bond requirements.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2009

Mr. MELANCON 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 provide for a grace period in which durable medical equipment suppliers may meet Medicare accreditation and surety bond requirements.

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. GRACE PERIOD FOR MEDICARE ACCREDITA-**
4 **TION AND SURETY BOND REQUIREMENTS**
5 **FOR CERTAIN DMEPOS SUPPLIERS.**

6 (a) IN GENERAL.—In the case of an entity which
7 would qualify as a supplier under part B of title XVIII
8 of the Social Security Act but for the entity's failure to

1 meet one or both requirements described in subsection (b),
 2 the entity shall be treated, for purposes of payment under
 3 such part for items the entity is licensed or otherwise rec-
 4 ognized to provide under applicable State law, as having
 5 met such respective requirement during the period begin-
 6 ning on the effective date of such requirement and ending
 7 on the date the entity first meets such requirement so long
 8 as the entity meets both such requirements not later than
 9 6 months after the date of the enactment of this section.

10 (b) ACCREDITATION AND SURETY BOND REQUIRE-
 11 MENTS DESCRIBED.—The requirements described in this
 12 subsection are—

13 (1) the accreditation requirement of section
 14 1834(a)(20)(F)(i) of the Social Security Act (42
 15 U.S.C. 1395m(a)(20)(F)(i)); and

16 (2) the surety bond requirement of section
 17 1834(a)(16)(B) of such Act (42 U.S.C.
 18 1395m(a)(16)(B)).

19 (c) NO APPLICATION TO COMPETITIVE ACQUISITION
 20 PROGRAMS.—Nothing in subsection (a) shall be construed
 21 as affecting any accreditation or surety bond requirement
 22 of a competitive acquisition program under section 1847
 23 of the Social Security Act (42 U.S.C. 1395w–3).

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