

115TH CONGRESS
2D SESSION

H. R. 5881

To amend title XVIII of the Social Security Act to provide for transparency of Medicare secondary payer reporting information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2018

Mr. BILIRAKIS (for himself, Mr. ROSS, and Mr. KIND) 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

A BILL

To amend title XVIII of the Social Security Act to provide for transparency of Medicare secondary payer reporting information, 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 “Provide Accurate In-
5 formation Directly Act” or “PAID Act”.

1 **SEC. 2. TRANSPARENCY OF MEDICARE SECONDARY PAYER**
 2 **REPORTING INFORMATION.**

3 Section 1862(b)(8)(G) of the Social Security Act (42
 4 U.S.C. 395y(b)(8)(G)) is amended—

5 (1) by striking “INFORMATION.—The Sec-
 6 retary” and inserting “INFORMATION.—

7 “(i) IN GENERAL.—The Secretary”;

8 and

9 (2) by adding at the end the following new
 10 clause:

11 “(ii) SPECIFIED INFORMATION.—In
 12 responding to any query related to sub-
 13 paragraph (A)(i), the Secretary, notwith-
 14 standing any other provision of law, shall
 15 identify to the applicable plan whether a
 16 claimant subject to the query is, or during
 17 the preceding 3-year period had been—

18 “(I) entitled to benefits (or en-
 19 rolled for benefits) under the program
 20 under this title on any basis, and to
 21 the extent applicable, shall identify by
 22 plan name and address any Medicare
 23 Advantage plan under part C and any
 24 prescription drug plan under part D
 25 in which the claimant is enrolled or

1 has been enrolled during such period;
2 or
3 “(II) eligible for benefits under a
4 State plan (or waiver of such plan)
5 under the program under title XIX on
6 any basis, and whether the claimant is
7 enrolled, or has been enrolled during
8 such period under such State plan (or
9 waiver).”.

10 **SEC. 3. EFFECTIVE DATE.**

11 The amendments made by section 2 shall apply with
12 respect to queries submitted on or after the date that is
13 6 months after the date of the enactment of this Act.

○