

be taken into account premiums attributable to section 1395r(g) of this title or section 59B of the Internal Revenue Code of 1986.”

1984—Subsec. (a)(1)(B)(ii). Pub. L. 98-369 substituted “; plus” for a period.

1983—Subsec. (a)(1)(A)(i). Pub. L. 98-21, § 606(a)(3)(F), substituted “section 1395r(a)(1)” for “section 1395r(c)(1)” and “section 1395r(a)(3) or 1395r(e)” for “section 1395r(c)(3) or 1395r(g)”.

Subsec. (a)(1)(B)(i). Pub. L. 98-21, § 606(a)(3)(G), substituted “1395r(a)(4)” for “1395r(c)(4)” and “1395r(a)(3) or 1395r(e)” for “1395r(c)(3) or 1395r(g)”.

1982—Subsec. (a)(1)(A)(i), (B)(i). Pub. L. 97-248 substituted “section 1395r(c)(3) or 1395r(g) of this title, as the case may be” for “section 1395r(c)(3) of this title”.

1972—Subsec. (a)(1). Pub. L. 92-603 designated existing provisions as subpar. (A), substituted provisions relating to Government contributions equal to aggregate premiums payable for a month for enrollees age 65 and over under this part and deposited in Trust Fund, and multiplied by specified ratio, for provisions relating to Government contributions equal to aggregate premiums payable under this part and deposited in Trust Fund, and added subpar. (B).

1968—Subsec. (a). Pub. L. 90-248, § 167(a), designated existing provisions as par. (1), inserted provision for deposit of Government contribution in Trust Fund, and added par. (2).

Subsec. (b). Pub. L. 90-248, § 167(b), substituted “1969” for “1967”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by section 222(l)(2)(C) of Pub. L. 108-173 applicable with respect to plan years beginning on or after Jan. 1, 2006, see section 223(a) of Pub. L. 108-173, set out as a note under section 1395w-21 of this title.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-554 applicable to years beginning with 2003, see section 1(a)(6) [title VI, § 606(b)] of Pub. L. 106-554, set out as a note under section 1395r of this title.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-234 effective Jan. 1, 1990, and applicable to premiums for months beginning after Dec. 31, 1989, see section 202(b) of Pub. L. 101-234, set out as a note under section 401 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-360 applicable, except as otherwise specified in such amendment, to monthly premiums for months beginning with January 1989, see section 211(d) of Pub. L. 100-360, set out as a note under section 1395r of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective July 18, 1984, but not to be construed as changing or affecting any right, liability, status, or interpretation which existed (under the provisions of law involved) before that date, see section 2354(e)(1) of Pub. L. 98-369, set out as a note under section 1320a-1 of this title.

EFFECTIVE DATE OF 1983 AMENDMENT; TRANSITIONAL RULE

Amendment by Pub. L. 98-21 applicable to premiums for months beginning with January 1984, but for months after June 1983 and before January 1984, the amount of Government contributions under subsec. (a)(1) of this section shall be computed with the actuarially adequate rate which would have been in effect but for the amendments made by this section and using the amount of the premium in effect for June 1983, see section 606(c) of Pub. L. 98-21, set out as a note under section 1395r of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Pub. L. 92-603, title II, § 203(e), Oct. 30, 1972, 86 Stat. 1377, provided that the amendment made by that section is effective with respect to enrollee premiums payable for months after June 1973.

CONSTRUCTION OF 2015 AMENDMENT; CONDITIONAL APPLICATION TO 2017

For provisions relating to construction and application of amendment by Pub. L. 114-74, see sections 601(d) and 601(e) of Pub. L. 114-74, set out as notes under section 1395r of this title.

§ 1395w-1. Repealed. Pub. L. 105-33, title IV, § 4022(b)(2)(A), Aug. 5, 1997, 111 Stat. 354

Section, act Aug. 14, 1935, ch. 531, title XVIII, § 1845, as added and amended Apr. 7, 1986, Pub. L. 99-272, title IX, § 9305, 100 Stat. 190; Oct. 21, 1986, Pub. L. 99-509, title IX, §§ 9331(e), 9344(a)(1), 100 Stat. 2021, 2042; Dec. 22, 1987, Pub. L. 100-203, title IV, §§ 4045(b), 4083(a)(1), (c)(1), 4085(a), (i)(8), 101 Stat. 1330-87, 1330-129, 1330-130, 1330-132; July 1, 1988, Pub. L. 100-360, title IV, § 411(i)(4)(A), 102 Stat. 788; Nov. 10, 1988, Pub. L. 100-647, title VIII, § 8425(a), 102 Stat. 3803; Nov. 5, 1990, Pub. L. 101-508, title IV, §§ 4002(g)(3), 4118(j)(1), 104 Stat. 1388-37, 1388-70; Oct. 31, 1994, Pub. L. 103-432, title I, § 126(g)(8), 108 Stat. 4416, related to Physician Payment Review Commission.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Nov. 1, 1997, the date of termination of the Prospective Payment Assessment Commission and the Physician Payment Review Commission, see section 4022(c)(2) of Pub. L. 105-33 set out as an Effective Date; Transition; Transfer of Functions note under section 1395b-6 of this title.

§ 1395w-2. Intermediate sanctions for providers or suppliers of clinical diagnostic laboratory tests

(a) If the Secretary determines that any provider or clinical laboratory approved for participation under this subchapter no longer substantially meets the conditions of participation or for coverage specified under this subchapter with respect to the provision of clinical diagnostic laboratory tests under this part, the Secretary may (for a period not to exceed one year) impose intermediate sanctions developed pursuant to subsection (b), in lieu of terminating immediately the provider agreement or cancelling immediately approval of the clinical laboratory.

(b)(1) The Secretary shall develop and implement—

(A) a range of intermediate sanctions to apply to providers or clinical laboratories under the conditions described in subsection (a), and

(B) appropriate procedures for appealing determinations relating to the imposition of such sanctions.

(2)(A) The intermediate sanctions developed under paragraph (1) shall include—

(i) directed plans of correction,

(ii) civil money penalties in an amount not to exceed \$10,000 for each day of substantial noncompliance,

(iii) payment for the costs of onsite monitoring by an agency responsible for conducting surveys, and

(iv) suspension of all or part of the payments to which a provider or clinical laboratory