

S 452

Medicare Education and Regulatory Fairness Act of 2001

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Mar 5, 2001

Current Status: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S1819-1823)

Latest Action: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S1819-1823)
(Mar 5, 2001)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/452>

Sponsor

Name: Sen. Murkowski, Frank H. [R-AK]

Party: Republican • **State:** AK • **Chamber:** Senate

Cosponsors (37 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hagel, Chuck [R-NE]	R · NE		Mar 5, 2001
Sen. Helms, Jesse [R-NC]	R · NC		Mar 5, 2001
Sen. Kerry, John F. [D-MA]	D · MA		Mar 5, 2001
Sen. Kyl, Jon [R-AZ]	R · AZ		Mar 5, 2001
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Mar 5, 2001
Sen. Reid, Harry [D-NV]	D · NV		Mar 5, 2001
Sen. Smith, Bob [R-NH]	R · NH		Mar 5, 2001
Sen. Brownback, Sam [R-KS]	R · KS		Mar 12, 2001
Sen. Voinovich, George V. [R-OH]	R · OH		Mar 12, 2001
Sen. Santorum, Rick [R-PA]	R · PA		Mar 13, 2001
Sen. Cochran, Thad [R-MS]	R · MS		Mar 15, 2001
Sen. Hollings, Ernest F. [D-SC]	D · SC		Mar 15, 2001
Sen. Smith, Gordon H. [R-OR]	R · OR		Mar 21, 2001
Sen. Jeffords, James M. [R-VT]	R · VT		Mar 23, 2001
Sen. Inhofe, James M. [R-OK]	R · OK		Mar 27, 2001
Sen. Shelby, Richard C. [R-AL]	R · AL		Mar 28, 2001
Sen. Craig, Larry E. [R-ID]	R · ID		Apr 2, 2001
Sen. Warner, John [R-VA]	R · VA		Apr 2, 2001
Sen. Burns, Conrad R. [R-MT]	R · MT		Apr 5, 2001
Sen. Lugar, Richard G. [R-IN]	R · IN		Apr 6, 2001
Sen. Crapo, Mike [R-ID]	R · ID		Apr 23, 2001
Sen. Sessions, Jeff [R-AL]	R · AL		Apr 23, 2001
Sen. Stabenow, Debbie [D-MI]	D · MI		Apr 23, 2001
Sen. Cleland, Max [D-GA]	D · GA		Apr 25, 2001
Sen. Collins, Susan M. [R-ME]	R · ME		Apr 30, 2001
Sen. Hutchinson, Tim [R-AR]	R · AR		May 8, 2001
Sen. Enzi, Michael B. [R-WY]	R · WY		May 14, 2001
Sen. Nelson, Ben [D-NE]	D · NE		May 14, 2001
Sen. Chafee, Lincoln [R-RI]	R · RI		May 16, 2001
Sen. Allard, Wayne [R-CO]	R · CO		May 24, 2001
Sen. Bond, Christopher S. [R-MO]	R · MO		May 24, 2001
Sen. Campbell, Ben Nighthorse [R-CO]	R · CO		May 24, 2001
Sen. Gregg, Judd [R-NH]	R · NH		Jun 13, 2001
Sen. Allen, George [R-VA]	R · VA		Jul 9, 2001
Sen. Miller, Zell [D-GA]	D · GA		Jul 25, 2001
Sen. Bennett, Robert F. [R-UT]	R · UT		Jul 31, 2001
Sen. Ensign, John [R-NV]	R · NV		Sep 5, 2001

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Mar 5, 2001

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
107 HR 868	Identical bill	Mar 14, 2001: Referred to the Subcommittee on Health.

Summary (as of Mar 5, 2001)

Medicare Education and Regulatory Fairness Act of 2001 - Amends title XVIII (Medicare) of the Social Security Act (SSA) concerning: (1) prospective application only of certain regulations prescribed by the Secretary of Health and Human Services (HHS); and (2) certain requirements for judicial and regulatory challenges of regulations.

Requires the Secretary, with respect to Medicare audits, except when clear and convincing evidence exists of fraud or similar fault, to give a physician, provider of services, or provider of ambulance services (physicians or providers) the option of entering into: (1) an arrangement to offset alleged overpayments against future payments; or (2) a repayment plan with its carrier or fiscal intermediary to recoup such an overpayment.

Prohibits the Secretary from taking any action to recoup an overpayment or to impose a penalty during the period in which a physician or provider is appealing a determination that such an overpayment has been made or the amount of the overpayment.

Prohibits carriers, absent cause, from demanding the production of records or documentation before paying a Medicare claim.

Amends SSA title XI with respect to prohibited extensions of remuneration to a Medicare-eligible individual to influence a choice of provider, practitioner, or supplier. Excludes from the meaning of remuneration any waiver of copayment made in a written, mailed communication with existing patients.

Amends SSA title XVIII with regard to: (1) construction of hearing rights related to decisions to deny or not renew a physician enrollment agreement; (2) the post-payment audit process; (3) definitions relating to physicians or providers; and (4) the right to appeal on behalf of deceased beneficiaries.

Amends SSA title XVIII to require carriers, fiscal intermediaries, and contractors to conduct education programs (funded from the Medicare Integrity Program) for physicians and providers on billing, coding, cost reporting, and documentation regulations and procedures.

Outlines provisions with regard to certain information requests from physicians and providers.

Amends SSA title XVIII to provide for the inclusion of regulatory costs in the calculation of the sustainable growth rate with respect to the costs of physicians' services.

Prohibits the Health Care Financing Administration (HCFA) from implementing any new evaluation and management documentation guidelines under Medicare, unless it: (1) has provided for an assessment of the proposed guidelines by organizations representing physicians; (2) has established a plan that contains specific goals, including a schedule, for improving use of such guidelines; (3) has completed a minimum of four pilot projects to test such guidelines; and (4) finds that specified objectives will be met in the implementation of such guidelines.

Actions Timeline

- **Mar 5, 2001:** Introduced in Senate
- **Mar 5, 2001:** Sponsor introductory remarks on measure. (CR S1818-1819)
- **Mar 5, 2001:** Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S1819-1823)