

HR 4796

Medicare Secondary Payer Enhancement Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: Mar 9, 2010

Current Status: Referred to House Energy and Commerce

Latest Action: Referred to House Energy and Commerce (Mar 9, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/4796>

Sponsor

Name: Rep. Murphy, Patrick J. [D-PA-8]

Party: Democratic • **State:** PA • **Chamber:** House

Cosponsors (35 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Murphy, Tim [R-PA-18]	R · PA		Mar 9, 2010
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Apr 13, 2010
Rep. Courtney, Joe [D-CT-2]	D · CT		Apr 13, 2010
Rep. Moore, Dennis [D-KS-3]	D · KS		Apr 13, 2010
Rep. Sires, Albio [D-NJ-13]	D · NJ		Apr 13, 2010
Rep. Giffords, Gabrielle [D-AZ-8]	D · AZ		Apr 22, 2010
Rep. Lee, Christopher J. [R-NY-26]	R · NY		Apr 22, 2010
Rep. Adler, John H. [D-NJ-3]	D · NJ		May 12, 2010
Rep. Himes, James A. [D-CT-4]	D · CT		May 12, 2010
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		May 12, 2010
Rep. Roskam, Peter J. [R-IL-6]	R · IL		May 12, 2010
Rep. Sutton, Betty [D-OH-13]	D · OH		May 12, 2010
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		May 12, 2010
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		May 26, 2010
Rep. Baca, Joe [D-CA-43]	D · CA		Jun 8, 2010
Rep. Green, Gene [D-TX-29]	D · TX		Jun 8, 2010
Rep. Holden, Tim [D-PA-17]	D · PA		Jun 8, 2010
Rep. Terry, Lee [R-NE-2]	R · NE		Jun 8, 2010
Rep. Cohen, Steve [D-TN-9]	D · TN		Jun 10, 2010
Rep. Frank, Barney [D-MA-4]	D · MA		Jun 14, 2010
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Jun 24, 2010
Rep. McCarthy, Kevin [R-CA-22]	R · CA		Jun 24, 2010
Rep. Coble, Howard [R-NC-6]	R · NC		Jun 29, 2010
Rep. McNerney, Jerry [D-CA-11]	D · CA		Jun 29, 2010
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Jun 29, 2010
Rep. Pingree, Chellie [D-ME-1]	D · ME		Jun 29, 2010
Rep. Posey, Bill [R-FL-15]	R · FL		Jun 29, 2010
Rep. DeGette, Diana [D-CO-1]	D · CO		Jul 13, 2010
Rep. Paul, Ron [R-TX-14]	R · TX		Jul 13, 2010
Rep. Titus, Dina [D-NV-3]	D · NV		Jul 13, 2010
Rep. Bachus, Spencer [R-AL-6]	R · AL		Sep 16, 2010
Rep. Carnahan, Russ [D-MO-3]	D · MO		Sep 16, 2010
Rep. Kind, Ron [D-WI-3]	D · WI		Sep 28, 2010
Rep. Putnam, Adam H. [R-FL-12]	R · FL		Sep 29, 2010
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Sep 29, 2010

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	Mar 9, 2010
Ways and Means Committee	House	Referred To	Mar 9, 2010

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Mar 9, 2010)

Medicare Secondary Payer Enhancement Act of 2010 - Amends title XVIII (Medicare) of the Social Security Act with respect to any settlement, judgment, award, or other payment between a Medicare claimant and an applicable plan involving a payment made for items and services by the Secretary of Health and Human Services (HHS). Prescribes requirements for a voluntary calculation and direct reimbursement by a Medicare claimant and an applicable plan to the Hospital Insurance Trust Fund or the Supplementary Medical Insurance Trust Fund, as appropriate, of a conditional payment of Medicare secondary payer claims for settlement purposes. Grants the Secretary the right to contest the amount of any such reimbursement, and the right of the claimant and plan to request a final recovery demand for reimbursement.

Declares that requirements to reimburse the appropriate Trust Fund for any payment made by the Secretary with respect to an item or service shall not apply with respect to any settlement, judgment, award, or other payment by an applicable plan: (1) constituting a total payment obligation to a claimant of not more than \$5,000; or (2) involving the ongoing responsibility for other medical payments of not more than \$5,000.

Changes from mandatory to discretionary the current civil money penalty for failure of an applicable plan to submit certain information to the Secretary with respect to any claimant. Prescribes requirements for the creation of safe harbors from such sanctions.

Directs the Secretary to modify reporting requirements for liability insurance (including self-insurance), no fault insurance, and workers' compensation laws and plans so that entities responsible for reporting information are not required to access or report to the Secretary beneficiary Social Security numbers or health identification numbers.

Sets a statute of limitations with respect to the recovery of payments by the United States.

Establishes \$30 user fees, adjusted annually for inflation, for requests submitted to the Secretary for direct conditional payment reimbursement and for final demand of a conditional payment.

Actions Timeline

- **Mar 9, 2010:** Introduced in House
- **Mar 9, 2010:** Referred to House Ways and Means
- **Mar 9, 2010:** 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.
- **Mar 9, 2010:** Referred to House Energy and Commerce