

S 1251

Medicare and Medicaid FAST Act

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Jun 22, 2011

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Jun 22, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1251>

Sponsor

Name: Sen. Carper, Thomas R. [D-DE]

Party: Democratic • **State:** DE • **Chamber:** Senate

Cosponsors (37 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bennet, Michael F. [D-CO]	D · CO		Jun 22, 2011
Sen. Brown, Scott P. [R-MA]	R · MA		Jun 22, 2011
Sen. Coburn, Tom [R-OK]	R · OK		Jun 22, 2011
Sen. Corker, Bob [R-TN]	R · TN		Jun 22, 2011
Sen. Enzi, Michael B. [R-WY]	R · WY		Jun 22, 2011
Sen. Klobuchar, Amy [D-MN]	D · MN		Jun 22, 2011
Sen. Thune, John [R-SD]	R · SD		Jun 22, 2011
Sen. Coons, Christopher A. [D-DE]	D · DE		Jul 13, 2011
Sen. Cornyn, John [R-TX]	R · TX		Jul 27, 2011
Sen. Blunt, Roy [R-MO]	R · MO		Jul 28, 2011
Sen. Coats, Daniel [R-IN]	R · IN		Jul 28, 2011
Sen. Grassley, Chuck [R-IA]	R · IA		Jul 28, 2011
Sen. Inhofe, James M. [R-OK]	R · OK		Jul 28, 2011
Sen. Isakson, Johnny [R-GA]	R · GA		Jul 28, 2011
Sen. Johnson, Ron [R-WI]	R · WI		Jul 28, 2011
Sen. Kyl, Jon [R-AZ]	R · AZ		Jul 28, 2011
Sen. Sessions, Jeff [R-AL]	R · AL		Jul 28, 2011
Sen. Wicker, Roger F. [R-MS]	R · MS		Jul 28, 2011
Sen. Burr, Richard [R-NC]	R · NC		Sep 21, 2011
Sen. Chambliss, Saxby [R-GA]	R · GA		Sep 21, 2011
Sen. Johanns, Mike [R-NE]	R · NE		Sep 21, 2011
Sen. Kirk, Mark Steven [R-IL]	R · IL		Sep 21, 2011
Sen. McCaskill, Claire [D-MO]	D · MO		Sep 26, 2011
Sen. Begich, Mark [D-AK]	D · AK		Oct 3, 2011
Sen. Landrieu, Mary L. [D-LA]	D · LA		Oct 3, 2011
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Oct 3, 2011
Sen. Warner, Mark R. [D-VA]	D · VA		Oct 3, 2011
Sen. Hoeven, John [R-ND]	R · ND		Oct 12, 2011
Sen. Tester, Jon [D-MT]	D · MT		Nov 3, 2011
Sen. Barrasso, John [R-WY]	R · WY		Nov 8, 2011
Sen. Heller, Dean [R-NV]	R · NV		Nov 9, 2011
Sen. Manchin, Joe, III [D-WV]	D · WV		Nov 16, 2011
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jan 24, 2012
Sen. Conrad, Kent [D-ND]	D · ND		Feb 28, 2012
Sen. Crapo, Mike [R-ID]	R · ID		Apr 23, 2012
Sen. Ayotte, Kelly [R-NH]	R · NH		May 8, 2012
Sen. Snowe, Olympia J. [R-ME]	R · ME		Jun 28, 2012

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Jun 22, 2011

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
112 HR 3399	Related bill	Nov 21, 2011: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
112 S 1275	Related bill	Jun 23, 2011: Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S4102)

Medicare and Medicaid Fighting Fraud and Abuse to Save Taxpayers' Dollars Act or Medicare and Medicaid FAST Act - Amends part D (Prescription Drug Benefits) of title XVIII (Medicare) of the Social Security Act (SSA) to direct the Secretary of Health and Human Services (HHS) to prohibit sponsors of prescription drug plans (PDPs) from paying claims for prescription drugs that do not include the valid National Provider Identifier for the drug's prescriber.

Directs the Secretary of HHS to establish procedures and rules to restrict access to the National Provider Identifier Registry in order to deter fraudulent use of it.

Amends SSA title XIX (Medicaid), for any state that has established a State Prescription Drug Monitoring Program meeting certain requirements, to decrease by 10% the federal medical assistance percentage (FMAP) with respect to any amounts recovered by or paid to the state related to an overpayment due to fraud, waste, or abuse. Allows the state to use such amounts to support its State Prescription Drug Monitoring Program.

Directs the Secretary of HHS and the Attorney General jointly to establish a Commission to examine interoperability and other issues related to State Prescription Drug Monitoring Programs.

Directs the Attorney General to: (1) update daily the Drug Enforcement Administration (DEA) database of persons registered to manufacture, distribute, or dispense a controlled substance under the Controlled Substances Act to reflect any changes in the information in the Death Master File of the Social Security Administration; (2) agree with the Commissioner of Social Security to obtain death information in order to update such database; (3) establish procedures and rules to restrict access to the database to deter its fraudulent use; and (4) establish procedures and rules to review and investigate pharmacy claims under Medicare part D that contain a registration number not assigned to a practitioner by the Attorney General under the Controlled Substances Act.

Amends SSA title XVIII to require certain annual reports to describe the types and financial costs to the Medicare program of improper payment vulnerabilities identified by Recovery Audit Contractors (RACs).

Requires the Secretary of HHS to develop a plan to revise the beneficiary incentive program under the Health Instance Portability and Accountability Act of 1996 (HIPAA) to encourage greater participation by individuals in reporting fraud and abuse in the Medicare program.

Requires the Secretary of HHS to: (1) establish and implement procedures to eliminate the unnecessary collection, use, and display of Social Security account numbers of Medicare beneficiaries; and (2) ensure that each newly issued Medicare identification card meets specified requirements.

Directs the Secretary of HHS to establish a pilot program utilizing smart card technology to evaluate its applicability to the Medicare program and whether such cards would be effective in preventing Medicare fraud.

Directs the Secretary of HHS to establish policies and procedures for prepayment review, which may include pre-certification, for all claims for reimbursement for durable medical equipment (DME) at high risk of waste, fraud, and abuse, including power wheelchairs.

Requires the Secretary of HHS, the HHS Inspector General, and the Attorney General to increase coordination and data sharing.

Directs the Secretary of HHS to establish: (1) automated prepayment review of all Medicare claims, (2) a plan to facilitate

the inclusion of states in the Medicare-Medicaid Data Match Program, and (3) a plan that allows each state Medicaid agency access to relevant data on improper or erroneous Medicare payments for items or services for dual eligible individuals.

Prohibits Medicaid payments as well as payments under SSA title XXI (State Children's Health Insurance Program) (CHIP) unless a claim contains a valid beneficiary identification number and a valid National Provider Identifier.

Directs the Secretary to establish Medicare administrative contractor error reduction incentives.

Requires the provider enrollment process and provider screening to be separate from any contract to serve as a Medicare administrative contractor.

Directs the Secretary of HHS to report to Congress on measurable metrics for improving Medicare contractor performance.

Amends SSA title XI to establish penalties for the illegal distribution of a Medicare, Medicaid, or CHIP beneficiary identification number or billing privileges.

Actions Timeline

- **Jun 22, 2011:** Introduced in Senate
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