

103^D CONGRESS
1ST SESSION

H. R. 266

To amend the Black Lung Benefits Act to provide that when benefits are paid for at least two years after an initial determination of eligibility for such benefits the benefits will not be required to be repaid upon a final determination of ineligibility for benefits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. McCLOSKEY introduced the following bill; which was referred to the
Committee on Education and Labor

A BILL

To amend the Black Lung Benefits Act to provide that when benefits are paid for at least two years after an initial determination of eligibility for such benefits the benefits will not be required to be repaid upon a final determination of ineligibility for benefits, 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 “Black Lung Benefits
5 Equity Act”.

1 **SEC. 2. BENEFIT REPAYMENT.**

2 Part C of the Black Lung Benefits Act is amended
3 by adding at the end the following:

4 “SEC. 436. (a) In the administration of the benefits
5 payable under this part, if a claimant receives benefits
6 under this part for at least two years before final adjudica-
7 tion of the claim for benefits is made and if the final adju-
8 dication is that the claimant is ineligible for benefits, the
9 payment of such benefits to the claimant shall not be con-
10 sidered an overpayment of benefits and the claimant shall
11 not be legally responsible for the return of such benefits.

12 “(b) If, before the date of the enactment of this sec-
13 tion, a claimant received benefits under this part for at
14 least two years before a final adjudication of the claim
15 for benefits was made, the claimant will not be required
16 to repay such benefits. If, before the date of the enactment
17 of this section, a claimant who received benefits under this
18 part for at least two years before final adjudication of the
19 claim for benefits was made was required under regula-
20 tions of the Secretary to repay the benefits as an overpay-
21 ment of benefits, the Secretary shall refund to the claim-
22 ant the amount repaid by the claimant.”.

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