

104TH CONGRESS
1ST SESSION

H. R. 2422

To amend title XVIII of the Social Security Act to provide for security of the medicare program.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1995

Mr. McDERMOTT (for himself, Mr. FORD, Mr. OLVER, Mr. DELLUMS, Mr. TORRES, Mr. MOAKLEY, Mrs. CLAYTON, Mr. KLECZKA, Mr. SCOTT, Ms. MCKINNEY, Ms. PELOSI, Mr. SPRATT, Mr. BARRETT of Wisconsin, Mr. OWENS, Mr. FALEOMAVAEGA, Mr. YATES, Mr. VENTO, Mr. CONYERS, Mr. MARTINEZ, Miss COLLINS of Michigan, Mr. GENE GREEN of Texas, and Mr. WATT of North Carolina) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on 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

A BILL

To amend title XVIII of the Social Security Act to provide for security of the medicare program.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Medicare Security Act of 1995”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MEDICARE SECURITY COMMISSION

- Sec. 101. Establishment of Medicare Security Commission.
- Sec. 102. Duties.
- Sec. 103. Membership.
- Sec. 104. Staff and consultants.
- Sec. 105. Powers.
- Sec. 106. Report.
- Sec. 107. Termination.

TITLE II—MEDICARE SAVINGS

Subtitle A—Savings in Medicare Part A

- Sec. 201. Reductions in updates for inpatient hospital services subject to prospective payment system.
- Sec. 202. Payment for ancillary costs of skilled nursing facilities under physician fee schedule.
- Sec. 203. Maintaining savings resulting from temporary freeze on payment increases skilled nursing facility services.
- Sec. 204. Continuation of reduction in payments for capital-related costs of inpatient hospital services.

Subtitle B—Savings in Medicare Part B

- Sec. 211. Elimination of formula-driven overpayments for certain outpatient hospital services.
- Sec. 212. Continuing reduction in practice expense relative value units for certain services.
- Sec. 213. Correction of MVPS upward bias.
- Sec. 214. Application of competitive acquisition process for durable medical equipment and clinical diagnostic laboratory tests.

Subtitle C—Savings in Parts A and B

- Sec. 221. Extension of secondary payer data match requirements.
- Sec. 222. Maintaining savings resulting from temporary freeze on payment increases for home health services.
- Sec. 223. 6 percent reduction in AAPCC paid to medicare health maintenance organizations.

Subtitle D—Transfers to Part A Trust Fund

- Sec. 231. Transfer of amounts saved to Federal Hospital Insurance Trust Fund.

1 **TITLE I—MEDICARE SECURITY**
2 **COMMISSION**

3 **SEC. 101. ESTABLISHMENT OF MEDICARE SECURITY COM-**
4 **MISSION.**

5 There is established a commission to be known as the
6 Medicare Security Commission (in this Act referred to as
7 the “Commission”).

8 **SEC. 102. DUTIES.**

9 The Commission shall make specific recommenda-
10 tions regarding revisions to the medicare program and
11 health care financing and coverage generally to assure the
12 continuing viability of the program during 2010 and there-
13 after when demographic changes are expected to expand
14 medicare’s enrollment significantly. Such revisions must
15 be designed in a manner that does not increase the num-
16 ber of uninsured or reduce access to care by program
17 beneficiaries or patients in general and does not increase
18 the financial obligations of current program beneficiaries,
19 including revisions to the methodology under which pay-
20 ments are made by the medicare program on behalf of
21 beneficiaries who are enrolled in private health care plans.

22 **SEC. 103. MEMBERSHIP.**

23 (a) APPOINTMENT.—

24 (1) IN GENERAL.—The Commission shall be
25 composed of seven members appointed by the Presi-

1 dent, of whom two shall be appointed from a list of
2 nominees submitted by the President pro tempore of
3 the Senate (after consultation with the minority
4 leader of the Senate) and two shall be appointed
5 from among a list of nominees submitted by the
6 Speaker of the House of Representatives (after con-
7 sultation with the minority leader of the House of
8 Representatives). Not more than three members of
9 the Commission may be of the same political party.

10 (2) DEADLINE FOR APPOINTMENT AND
11 TERMS.—The members of the Commission shall be
12 appointed not later than December 1, 1995, and
13 shall serve for the life of the Commission.

14 (b) CHAIRMAN AND VICE CHAIRMAN.—The Commis-
15 sion shall elect a chairman and a vice chairman from
16 among its members.

17 (c) VACANCIES.—Any vacancy in the membership of
18 the Commission shall be filled in the manner in which the
19 original appointment was made and shall not affect the
20 power of the remaining members to execute the duties of
21 the Commission.

22 (d) QUORUM.—A quorum shall consist of five mem-
23 bers of the Commission, except that two members may
24 conduct a hearing under section 105(a).

1 (e) MEETINGS.—The Commission shall meet at the
2 call of its chairman or a majority of its members.

3 (f) COMPENSATION AND REIMBURSEMENT OF EX-
4 PENSES.—Members of the Commission are not entitled to
5 receive compensation for service on the Commission. Mem-
6 bers may be reimbursed for travel, subsistence, and other
7 necessary expenses incurred in carrying out the duties of
8 the Commission.

9 **SEC. 104. STAFF AND CONSULTANTS.**

10 (a) STAFF.—The Commission may appoint and de-
11 termine the compensation of such staff as may be nec-
12 essary to carry out the duties of the Commission. Such
13 appointments and compensation may be made without re-
14 gard to the provisions of title 5, United States Code, that
15 govern appointments in the competitive services, and the
16 provisions of chapter 51 and subchapter III of chapter 53
17 of such title that relate to classifications and the General
18 Schedule pay rates.

19 (b) CONSULTANTS.—The Commission may procure
20 such temporary and intermittent services of consultants
21 under section 3109(b) of title 5, United States Code, as
22 the Commission determines to be necessary to carry out
23 the duties of the Commission.

1 **SEC. 105. POWERS.**

2 (a) HEARINGS AND OTHER ACTIVITIES.—For the
3 purpose of carrying out its duties, the Commission may
4 hold such hearings and undertake such other activities as
5 the Commission determines to be necessary to carry out
6 its duties.

7 (b) STUDIES BY GENERAL ACCOUNTING OFFICE.—
8 Upon the request of the Commission, the Comptroller
9 General shall conduct such studies or investigations as the
10 Commission determines to be necessary to carry out its
11 duties.

12 (c) COST ESTIMATES BY CONGRESSIONAL BUDGET
13 OFFICE.—

14 (1) IN GENERAL.—Upon the request of the
15 Commission, the Director of the Congressional
16 Budget Office shall provide to the Commission such
17 cost estimates as the Commission determines to be
18 necessary to carry out its duties.

19 (2) REIMBURSEMENT.—The Commission shall
20 reimburse the Director of the Congressional Budget
21 Office for expenses relating to the employment in
22 the office of the Director of such additional staff as
23 may be necessary for the Director to comply with re-
24 quests by the Commission under paragraph (1).

25 (d) DETAIL OF FEDERAL EMPLOYEES.—Upon the
26 request of the Commission, the head of any Federal agen-

1 cy is authorized to detail, without reimbursement, any of
2 the personnel of such agency to the Commission to assist
3 the Commission in carrying out its duties. Any such detail
4 shall not interrupt or otherwise affect the civil service sta-
5 tus or privileges of the Federal employee.

6 (e) TECHNICAL ASSISTANCE.—Upon the request of
7 the Commission, the head of a Federal agency shall pro-
8 vide such technical assistance to the Commission as the
9 Commission determines to be necessary to carry out its
10 duties.

11 (f) USE OF MAILS.—The Commission may use the
12 United States mails in the same manner and under the
13 same conditions as Federal agencies, and shall, for pur-
14 poses of the frank, be considered a commission of Con-
15 gress as described in section 3215 of title 39, United
16 States Code.

17 (g) OBTAINING INFORMATION.—The Commission
18 may secure directly from any Federal agency information
19 necessary to enable it to carry out its duties, if the infor-
20 mation may be disclosed under section 552 of title 5,
21 United States Code. Upon request of the Chairman of the
22 Commission, the head of such agency shall furnish such
23 information to the Commission.

24 (h) ADMINISTRATIVE SUPPORT SERVICES.—Upon
25 the request of the Commission, the Administrator of Gen-

1 eral Services shall provide to the Commission on a reim-
2 bursable basis such administrative support services as the
3 Commission may request.

4 (i) ACCEPTANCE OF DONATIONS.—The Commission
5 may accept, use, and dispose of gifts or donations of serv-
6 ices or property.

7 **SEC. 106. REPORT.**

8 Not later than January 1, 1998, the Commission
9 shall submit to Congress a report containing its rec-
10 ommendations under section 102, and shall include in the
11 report recommendations for appropriate legislative initia-
12 tives to carry out its recommendations.

13 **SEC. 107. TERMINATION.**

14 The Commission shall terminate 30 days after the
15 date of submission of the report required in section 106.

16 **TITLE II—MEDICARE SAVINGS**
17 **Subtitle A—Savings in Medicare**
18 **Part A**

19 **SEC. 201. REDUCTIONS IN UPDATES FOR INPATIENT HOS-**
20 **PITAL SERVICES SUBJECT TO PROSPECTIVE**
21 **PAYMENT SYSTEM.**

22 Section 1886(b)(3)(B)(i) of the Social Security Act
23 (42 U.S.C. 1395ww(b)(3)(B)(i)) is amended—

1 (1) in subclause (XI), by striking “fiscal year
2 1996” and inserting “fiscal years 1996 through
3 1999”, and

4 (2) by striking subclauses (XII) and (XIII) and
5 inserting the following:

6 “(XII) for fiscal years 2000 through 2002, the
7 market basket percentage increase minus 1 percent-
8 age point for hospitals in all areas, and

9 “(XIII) for fiscal year 2003 and each subse-
10 quent fiscal year, the market basket percentage in-
11 crease for hospitals in all areas.”.

12 **SEC. 202. PAYMENT FOR ANCILLARY COSTS OF SKILLED**
13 **NURSING FACILITIES UNDER PHYSICIAN FEE**
14 **SCHEDULE.**

15 (a) **REQUIRING PAYMENT UNDER PART B TO BE**
16 **MADE UNDER PHYSICIAN FEE SCHEDULE.—**

17 (1) **IN GENERAL.—**Section 1832(a)(2)(C) of the
18 Social Security Act (42 U.S.C. 1395k(a)(2)(C)) is
19 amended by striking the semicolon at the end and
20 inserting the following: “, other than services fur-
21 nished by a skilled nursing facility or by others
22 under arrangement with them made by the facility;”.

23 (2) **CLARIFICATION OF PAYMENT FOR SPEECH-**
24 **LANGUAGE PATHOLOGY SERVICES.—**The fourth sen-
25 tence of section 1861(p) of such Act (42 U.S.C.

1 1395x(p)) is amended by striking “outpatient,” and
2 inserting “outpatient or as an inpatient of an ex-
3 tended care facility,”.

4 (b) CONFORMING AMENDMENT FOR SERVICES FUR-
5 NISHED UNDER PART A.—Section 1814 of such Act (42
6 U.S.C. 1395f) is amended—

7 (1) in subsection (b) in the matter preceding
8 paragraph (1)—

9 (A) by striking “and other than” and in-
10 sserting “other than”, and

11 (B) by striking “equipment)” and inserting
12 “equipment, and other than a skilled nursing
13 facility with respect to extended care services
14 described in section 1861(h)(3))”; and

15 (2) by adding at the end the following new sub-
16 section:

17 “Payments to Skilled Nursing Facilities for Certain
18 Therapy Services

19 “(m) The amount paid to any skilled nursing facility
20 with respect to extended care services described in section
21 1861(h)(3) for which payment may be made under this
22 part shall be the amount determined pursuant to section
23 1833(a)(1)(N).”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to services furnished on or after
3 October 1, 1995.

4 **SEC. 203. MAINTAINING SAVINGS RESULTING FROM TEM-**
5 **PORARY FREEZE ON PAYMENT INCREASES**
6 **SKILLED NURSING FACILITY SERVICES.**

7 (a) BASING UPDATES TO PER DIEM COST LIMITS ON
8 LIMITS FOR FISCAL YEAR 1993.—

9 (1) IN GENERAL.—The last sentence of section
10 1888(a) of the Social Security Act (42 U.S.C.
11 1395yy(a)) is amended by adding at the end the fol-
12 lowing: “(except that such updates may not take
13 into account any changes in the routine service costs
14 of skilled nursing facilities occurring during cost re-
15 porting periods which began during fiscal year 1994
16 or fiscal year 1995).”.

17 (2) NO EXCEPTIONS PERMITTED BASED ON
18 AMENDMENT.—The Secretary of Health and Human
19 Services shall not consider the amendment made by
20 paragraph (1) in making any adjustments pursuant
21 to section 1888(c) of the Social Security Act.

22 (b) PAYMENTS DETERMINED ON PROSPECTIVE
23 BASIS.—Any change made by the Secretary of Health and
24 Human Services in the amount of any prospective pay-
25 ment paid to a skilled nursing facility under section

1 1888(d) of the Social Security Act for cost reporting peri-
2 ods beginning on or after October 1, 1995, may not take
3 into account any changes in the costs of services occurring
4 during cost reporting periods which began during fiscal
5 year 1994 or fiscal year 1995.

6 **SEC. 204. CONTINUATION OF REDUCTION IN PAYMENTS**
7 **FOR CAPITAL-RELATED COSTS OF INPATIENT**
8 **HOSPITAL SERVICES.**

9 Section 1886(g)(1)(A) of the Social Security Act (42
10 U.S.C. 1395ww(g)(1)(A)) is amended by striking
11 “through 1995” and inserting “through 2002”.

12 **Subtitle B—Savings in Medicare**
13 **Part B**

14 **SEC. 211. ELIMINATION OF FORMULA-DRIVEN OVERPAY-**
15 **MENTS FOR CERTAIN OUTPATIENT HOSPITAL**
16 **SERVICES.**

17 (a) **AMBULATORY SURGICAL CENTER PROCES-**
18 **DURES.**—Section 1833(i)(3)(B)(i)(II) of the Social Secu-
19 rity Act (42 U.S.C. 1395l(i)(3)(B)(i)(II)) is amended—
20 (1) by striking “of 80 percent”; and
21 (2) by striking the period at the end and insert-
22 ing the following: “, less the amount a provider may
23 charge as described in clause (ii) of section
24 1866(a)(2)(A).”.

1 (b) RADIOLOGY SERVICES AND DIAGNOSTIC PROCE-
2 DURES.—Section 1833(n)(1)(B)(i)(II) of such Act (42
3 U.S.C. 1395l(n)(1)(B)(i)(II)) is amended—

4 (1) by striking “of 80 percent”; and

5 (2) by striking the period at the end and insert-
6 ing the following: “, less the amount a provider may
7 charge as described in clause (ii) of section
8 1866(a)(2)(A).”.

9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to services furnished during por-
11 tions of cost reporting periods occurring on or after Janu-
12 ary 1, 1996.

13 **SEC. 212. CONTINUING REDUCTION IN PRACTICE EXPENSE**
14 **RELATIVE VALUE UNITS FOR CERTAIN SERV-**
15 **ICES.**

16 (a) IN GENERAL.—Section 1848(c)(2)(E)(i) of the
17 Social Security Act (42 U.S.C. 1395w@4(c)(2)(E)(i)) is
18 amended—

19 (1) by striking “and” at the end of subclause
20 (II);

21 (2) by striking the period at the end of
22 subclause (III); and

23 (3) by adding at the end the following new
24 subclause:

1 “(IV) 1997, by an additional 25
2 percent of such excess.”.

3 (b) LOWERING FLOOR ON REDUCTIONS.—Section
4 1848(c)(2)(E)(ii) of such Act (42 U.S.C.
5 1395w@4(c)(2)(E)(ii)) is amended by striking “128 per-
6 cent” and inserting “120 percent”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to physicians’ services furnished
9 on or after January 1, 1997.

10 **SEC. 213. CORRECTION OF MVPS UPWARD BIAS.**

11 (a) IN GENERAL.—Section 1848(f)(2)(A)(iv) of the
12 Social Security Act (42 U.S.C. 1395w–4(f)(2)(A)(iv)) is
13 amended by striking “including changes in law and regula-
14 tions affecting the percentage increase described in clause
15 (i)” and inserting “excluding anticipated responses to
16 such changes”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 subsection (a) shall apply with respect to performance
19 standard rates of increase determined for fiscal year 1996
20 and succeeding fiscal years.

1 **SEC. 214. APPLICATION OF COMPETITIVE ACQUISITION**
2 **PROCESS FOR DURABLE MEDICAL EQUIP-**
3 **MENT AND CLINICAL DIAGNOSTIC LABORA-**
4 **TORY TESTS.**

5 (a) IN GENERAL.—Part B of title XVIII of the Social
6 Security Act is amended by inserting after section 1846
7 the following:

8 “COMPETITION ACQUISITION FOR CERTAIN ITEMS AND
9 SERVICES

10 “SEC. 1847. (a) ESTABLISHMENT OF BIDDING
11 AREAS.—

12 “(1) IN GENERAL.—The Secretary shall estab-
13 lish competitive acquisition areas for the purpose of
14 awarding a contract or contracts for the furnishing
15 under this part of the items and services described
16 in subsection (c) on or after January 1, 1997. The
17 Secretary may establish different competitive acqui-
18 sition areas under this subsection for different class-
19 es of items and services under this part.

20 “(2) CRITERIA FOR ESTABLISHMENT.—The
21 competitive acquisition areas established under para-
22 graph (1) shall—

23 “(A) initially be, or be within, metropolitan
24 statistical areas; and

25 “(B) be chosen based on the availability
26 and accessibility of suppliers and the probable

1 savings to be realized by the use of competitive
2 bidding in the furnishing of items and services
3 in the area.

4 “(b) AWARDING OF CONTRACTS IN AREAS.—

5 “(1) IN GENERAL.—The Secretary shall con-
6 duct a competition among individuals and entities
7 supplying items and services under this part for
8 each competitive acquisition area established under
9 subsection (a) for each class of items and services.

10 “(2) CONDITIONS FOR AWARDING CONTRACT.—

11 The Secretary may not award a contract to any indi-
12 vidual or entity under the competition conducted
13 pursuant to paragraph (1) to furnish an item or
14 service under this part unless the Secretary finds
15 that the individual or entity—

16 “(A) meets quality standards specified by
17 the Secretary for the furnishing of such item or
18 service; and

19 “(B) offers to furnish a total quantity of
20 such item or service that is sufficient to meet
21 the expected need within the competitive acqui-
22 sition area.

23 “(3) CONTENTS OF CONTRACT.—A contract en-
24 tered into with an individual or entity under the
25 competition conducted pursuant to paragraph (1)

1 shall specify (for all of the items and services within
2 a class)—

3 “(A) the quantity of items and services the
4 entity shall provide; and

5 “(B) such other terms and conditions as
6 the Secretary may require.

7 “(c) SERVICES DESCRIBED.—The items and services
8 to which the provisions of this section shall apply are as
9 follows:

10 “(1) Covered items under section 1834(a).

11 “(2) Clinical diagnostic laboratory tests.

12 “(3) Such other items and services for which
13 the Secretary determines that the use of competitive
14 acquisition under this section is appropriate and
15 cost-effective.”.

16 (b) ITEMS AND SERVICES TO BE FURNISHED ONLY
17 THROUGH COMPETITIVE ACQUISITION.—Section 1862(a)
18 of such Act (42 U.S.C. 1395y(a)) is amended—

19 (1) by striking “or” at the end of paragraph
20 (14);

21 (2) by striking the period at the end of para-
22 graph (15) and inserting “; or”; and

23 (3) by inserting after paragraph (15) the fol-
24 lowing new paragraph:

1 “(16) where such expenses are for an item or
2 service furnished in a competitive acquisition area
3 (as established by the Secretary under section
4 1847(a)) by an individual or entity other than the
5 supplier with whom the Secretary has entered into
6 a contract under section 1847(b) for the furnishing
7 of such item or service in that area, unless the Sec-
8 retary finds that such expenses were incurred in a
9 case of urgent need.”.

10 (c) REDUCTION IN PAYMENT AMOUNTS IF COMPETI-
11 TIVE ACQUISITION FAILS TO ACHIEVE MINIMUM REDUC-
12 TION IN PAYMENTS.—Notwithstanding any other provi-
13 sion of title XVIII of the Social Security Act, if the estab-
14 lishment of competitive acquisition areas under section
15 1847 of such Act (as added by subsection (a)) and the
16 limitation of coverage for items and services under part
17 B of such title to items and services furnished by providers
18 with competitive acquisition contracts under such section
19 does not result in a reduction of at least 10 percent in
20 the projected payment amount that would have applied to
21 the item or service under part B if the item or service
22 had not been furnished through competitive acquisition
23 under such section, the Secretary shall reduce the pay-
24 ment amount by such percentage as the Secretary deter-
25 mines necessary to result in such a reduction.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to items and services furnished on
3 or after January 1, 1997.

4 **Subtitle C—Savings in Parts A and**
5 **B**

6 **SEC. 221. EXTENSION OF SECONDARY PAYER DATA MATCH**
7 **REQUIREMENTS.**

8 (a) IN GENERAL.—Section 1862(b)(5)(C)(iii) of the
9 Social Security Act (42 U.S.C. 1395y(b)(5)(C)(iii)) is
10 amended by striking “1998” and inserting “2002”.

11 (b) CONFORMING AMENDMENT.—Section
12 6103(l)(12) of the Internal Revenue Code of 1986 is
13 amended by striking “1998” and inserting “2002”.

14 **SEC. 222. MAINTAINING SAVINGS RESULTING FROM TEM-**
15 **PORARY FREEZE ON PAYMENT INCREASES**
16 **FOR HOME HEALTH SERVICES.**

17 (a) BASING UPDATES TO PER VISIT COST LIMITS ON
18 LIMITS FOR FISCAL YEAR 1993.—Section
19 1861(v)(1)(L)(iii) of the Social Security Act (42 U.S.C.
20 1395x(v)(1)(L)(iii)) is amended by adding at the end the
21 following sentence: “In establishing limits under this sub-
22 paragraph, the Secretary may not take into account any
23 changes in the costs of the provision of services furnished
24 by home health agencies with respect to cost reporting pe-

1 riods which began on or after July 1, 1994, and before
2 July 1, 1996.”.

3 (b) NO EXCEPTIONS PERMITTED BASED ON AMEND-
4 MENT.—The Secretary of Health and Human Services
5 shall not consider the amendment made by subsection (a)
6 in making any exemptions and exceptions pursuant to sec-
7 tion 1861(v)(1)(L)(ii) of the Social Security Act.

8 **SEC. 223. 6 PERCENT REDUCTION IN AAPCC PAID TO MEDI-**
9 **CARE HEALTH MAINTENANCE ORGANIZA-**
10 **TIONS.**

11 (a) IN GENERAL.—Section 1876(a)(1)(C) of the So-
12 cial Security Act (42 U.S.C. 1395mm(a)(1)(C)) is amend-
13 ed by striking “95 percent” and inserting “89 percent”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall apply with respect to contracts entered
16 into or renewed under section 1876 of the Social Security
17 Act on or after the date of the enactment of this Act.

18 **Subtitle D—Transfers to Part A**
19 **Trust Fund**

20 **SEC. 231. TRANSFER OF AMOUNTS SAVED TO FEDERAL**
21 **HOSPITAL INSURANCE TRUST FUND.**

22 (a) IN GENERAL.—For each fiscal year, the Sec-
23 retary of the Treasury shall transfer to the Federal Hos-
24 pital Insurance Trust Fund under section 1817 of the So-
25 cial Security Act amounts equivalent to the Secretary of

1 the Treasury's estimate of the amount which would have
2 been expended from the Federal Supplementary Medical
3 Insurance Trust Fund under section 1841 of such Act
4 during such fiscal year but for the provisions of this title.

5 (b) TRANSFER RULES, ETC.—The provisions of sec-
6 tion 9602 of the Internal Revenue Code of 1986 shall
7 apply to transfers under this section.

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