

HOUSE BILL 350

Introduced by Pavlovich, et al.

1/22	Introduced
1/22	Referred to Human Services & Aging
1/23	First Reading
1/24	Rereferred to Business & Economic Development
2/01	Hearing
2/18	Tabled in Committee

1 *John Scott*
 2 *HOUSE BILL NO. 350 Bob Pipinich*
 3 *Robert Ward Menaker*
 4 *Frank Fritz Selma Casey McCallister Dave Brown*
 5 *Madison O'Leary Timberley Repolledo*
 6 *Southworth Rodas Tony Stirling Henderson David Lewis*
 7 *W. Williams*
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INTRODUCED BY
 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT HEALTH CARE PROVIDERS FROM REFUSING TO ACCEPT MEDICARE ASSIGNMENTS; TO PROVIDE A PENALTY FOR VIOLATIONS OF THIS ACT; REPEALING SECTION 53-5-901, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Medicare assignment. (1) A

health care provider may not refuse to accept payment for medicare services on the basis of an assignment, as provided in section 1842(b)(3)(B)(ii) of the federal Social Security Act (42 U.S.C. 1395u(b)(3)(B)(ii)), under the terms of which the full charge for services is the amount of the medicare-approved rate for payment of the applicable service plus any deductibles, coinsurance, or copayment required to be paid by the medicare beneficiary.

(2) For purposes of this section, "health care provider" means a person, firm, corporation, association, or institution that provides goods or services subject to payment or reimbursement under the federal medicare program in accordance with Title XVIII of the federal Social Security Act (42 U.S.C. 1395, et seq.).

NEW SECTION. Section 2. Penalty. A person who violates

the provisions of [section 1] or who knowingly presents or causes to be presented a bill or request for payment of charges to a medicare beneficiary in excess of the amount allowed in [section 1] shall upon conviction be fined not more than \$2,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both.

NEW SECTION. Section 3. Notice required. Each health care provider shall post a copy of [sections 1 and 2] in a conspicuous area in his place of business as notice to medicare beneficiaries concerning their rights under [sections 1 and 2].

NEW SECTION. Section 4. Repealer. Section 53-5-901, MCA, is repealed.

NEW SECTION. Section 5. Codification instruction. [Sections 1 through 3] are intended to be codified as an integral part of Title 30, chapter 14, and the provisions of Title 30, chapter 14, apply to [sections 1 through 3].

NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 1991.

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