

105TH CONGRESS  
2D SESSION

# H. R. 3511

To amend title XI of the Social Security Act to authorize the Secretary of Health and Human Services to provide additional exceptions to the imposition of civil money penalties in cases of payments to beneficiaries.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 1998

Mr. THOMAS (for himself, Mr. STARK, Mr. BILIRAKIS, Mr. WAXMAN, Mr. HOUGHTON, Mr. ENSIGN, Mr. MCCRERY, Mr. KLECZKA, Mr. LEWIS of Georgia, Mrs. THURMAN, Mr. CAMP, Mr. LINDER, Mr. HAYWORTH, Mr. CHRISTENSEN, Mr. SAM JOHNSON, and Mr. TOWNS) 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

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## A BILL

To amend title XI of the Social Security Act to authorize the Secretary of Health and Human Services to provide additional exceptions to the imposition of civil money penalties in cases of payments to beneficiaries.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORIZATION OF ADDITIONAL EXCEPTIONS**  
2 **TO IMPOSITION OF PENALTIES FOR PROVID-**  
3 **ING INDUCEMENTS TO BENEFICIARIES.**

4 (a) **IN GENERAL.**—Subparagraph (B) of section  
5 1128A(i)(6) of the Social Security Act (42 U.S.C. 1320a–  
6 7a(i)(6)) is amended to read as follows:

7 “(B) any permissible payment practice as  
8 specified in section 1128B(b)(3) or in regula-  
9 tions issued by the Secretary;”.

10 (b) **EXTENSION OF ADVISORY OPINION AUTHOR-**  
11 **ITY.**—Section 1128D(b)(2)(A) of such Act (42 U.S.C.  
12 1320a–7d(b)(2)(A)) is amended by inserting “or section  
13 1128A(i)(6)(A)”.

14 (c) **EFFECTIVE DATE.**—The amendments made by  
15 this section shall take effect on the date of the enactment  
16 of this Act.

17 (d) **INTERIM FINAL RULEMAKING AUTHORITY.**—The  
18 Secretary of Health and Human Services may promulgate  
19 regulations that take effect on an interim basis, after no-  
20 tice and pending opportunity for public comment, in order  
21 to implement the amendments made by this section in a  
22 timely manner.

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