§ 1395w. Appropriations to cover Government contributions and contingency reserve

(a) **In general**

There are authorized to be appropriated from time to time, out of any moneys in the Treasury not otherwise appropriated, to the Federal Supplementary Medical Insurance Trust Fund—

1. **(A)** a Government contribution equal to the aggregate premiums payable for a month for enrollees age 65 and over under this part and deposited in the Trust Fund, multiplied by the ratio of—
   
   (i) twice the dollar amount of the actuarially adequate rate per enrollee age 65 and over as determined under section 1395r (a)(1) of this title for such month minus the dollar amount of the premium per enrollee for such month, as determined under section 1395r (a)(3) of this title, to
   
   (ii) the dollar amount of the premium per enrollee for such month, plus

2. **(B)** a Government contribution equal to the aggregate premiums payable for a month for enrollees under age 65 under this part and deposited in the Trust Fund, multiplied by the ratio of—

   (i) twice the dollar amount of the actuarially adequate rate per enrollee under age 65 as determined under section 1395r (a)(4) of this title for such month minus the dollar amount of the premium per enrollee for such month, as determined under section 1395r (a)(3) of this title, to

   (ii) the dollar amount of the premium per enrollee for such month; minus

3. **(C)** the aggregate amount of additional premium payments attributable to the application of section 1395r (i) of this title; plus

2. such sums as the Secretary deems necessary to place the Trust Fund, at the end of any fiscal year occurring after June 30, 1967, in the same position in which it would have been at the end of such fiscal year if

   **(A)** a Government contribution representing the excess of the premiums deposited in the Trust Fund during the fiscal year ending June 30, 1967, over the Government contribution actually appropriated to the Trust Fund during such fiscal year had been appropriated to it on June 30, 1967, and

   **(B)** the Government contribution for premiums deposited in the Trust Fund after June 30, 1967, had been appropriated to it when such premiums were deposited; plus

3. a Government contribution equal to the amount of payment incentives payable under sections 1395w–4(o) and 1395w–23(l)(3) of this title.

(b) **Contingency reserve**

In order to assure prompt payment of benefits provided under this part and the administrative expenses thereunder during the early months of the program established by this part, and to provide a contingency reserve, there is also authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to remain available through the calendar year 1969 for repayable advances (without interest) to the Trust Fund, an amount equal to $18 multiplied by the number of individuals (as estimated by the Secretary) who could be covered in July 1966 by the insurance program established by this part if they had theretofore enrolled under this part.

(c) **Election under section 1395w–24**
The Secretary shall determine the Government contribution under subparagraphs (A) and (B) of subsection (a)(1) of this section without regard to any premium reduction resulting from an election under section 1395w–24 (f)(1)(E) of this title or any credits provided under section 1395w–24 (b)(1)(C)(iv) \(^1\) of this title and without regard to any premium adjustment effected under sections 1395r (h) and 1395w–29 (f) \(^1\) of this title and without regard to any premium adjustment under section 1395r (i) of this title.

Footnotes

\(^1\) See References in Text note below.


References in Text


Amendments

2009—Subsec. (a)(2), (3). Pub. L. 111–5 in par. (2) substituted “; plus” for period at end and added par. (3).


Subsec. (c). Pub. L. 108–173, § 811(b)(2)(B), inserted “and without regard to any premium adjustment under section 1395r (i) of this title” before period at end.

Pub. L. 108–173, § 241(b)(2)(B), inserted “and without regard to any premium adjustment effected under sections 1395r (h) and 1395w–29 (f) of this title” before period at end.


1997—Subsec. (a)(1)(A)(i), (B)(i). Pub. L. 105–33 substituted “section 1395r (a)(3) of this title” for “section 1395r (a)(3) or 1395r (e) of this title, as the case may be”.

1989—Subsec. (a). Pub. L. 101–234 repealed Pub. L. 100–360, § 211(c)(2), and provided that the provisions of law amended or repealed by such section are restored or revised as if such section had not been enacted, see 1988 Amendment note below.

1988—Subsec. (a). Pub. L. 100–360 inserted at end “In computing the amount of aggregate premiums and premiums per enrollee under paragraph (1), there shall not be taken into account premiums attributable to section 1395r (g) of this title or section 59B of the Internal Revenue Code of 1986.”


1983—Subsec. (a)(1)(A)(i). Pub. L. 98–21, § 606(a)(3)(F), substituted “section 1395r (a)(1)” for “section 1395r (c)(1)” and “section 1395r (a)(3) or 1395r (e)” for “section 1395r (c)(3) or 1395r (g)”.

\(^1\) See References in Text note below.
Subsec. (a)(1)(B)(i). Pub. L. 98–21, § 606(a)(3)(G), substituted “1395r(a)(4)” for “1395r(c)(4)” and “1395r(a)(3) or 1395r(e)” for “1395r(c)(3) or 1395r(g)”.

1982—Subsec. (a)(1)(A)(i), (B)(i). Pub. L. 97–248 substituted “section 1395r (c)(3) or 1395r (g) of this title, as the case may be” for “section 1395r (c)(3) of this title”.

1972—Subsec. (a)(1). Pub. L. 92–603 designated existing provisions as subpar. (A), substituted provisions relating to Government contributions equal to aggregate premiums payable for a month for enrollees age 65 and over under this part and deposited in Trust Fund, and multiplied by specified ratio, for provisions relating to Government contributions equal to aggregate premiums payable under this part and deposited in Trust Fund, and added subpar. (B).


Effective Date of 2003 Amendment

Effective Date of 2000 Amendment
Amendment by Pub. L. 106–554 applicable to years beginning with 2003, see section 1 (a)(6) [title VI, § 606(b)] of Pub. L. 106–554, set out as a note under section 1395r of this title.

Effective Date of 1989 Amendment

Effective Date of 1988 Amendment
Amendment by Pub. L. 100–360 applicable, except as otherwise specified in such amendment, to monthly premiums for months beginning with January 1989, see section 211(d) of Pub. L. 100–360, set out as a note under section 1395r of this title.

Effective Date of 1984 Amendment
Amendment by Pub. L. 98–369 effective July 18, 1984, but not to be construed as changing or affecting any right, liability, status, or interpretation which existed (under the provisions of law involved) before that date, see section 2354(e)(1) of Pub. L. 98–369, set out as a note under section 1320a–1 of this title.

Effective Date of 1983 Amendment; Transitional Rule
Amendment by Pub. L. 98–21 applicable to premiums for months beginning with January 1984, but for months after June 1983 and before January 1984, the amount of Government contributions under subsec. (a)(1) of this section shall be computed with the actuarially adequate rate which would have been in effect but for the amendments made by this section and using the amount of the premium in effect for June 1983, see section 606(c) of Pub. L. 98–21, set out as a note under section 1395r of this title.

Effective Date of 1972 Amendment
Section 203(c) of Pub. L. 92–603 provided that the amendment made by that section is effective with respect to enrollee premiums payable for months after June 1973.