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## 42 C.F.R. § 405.430

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### Failure to properly opt-out.

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(a) A physician or practitioner fails to properly opt-out if—

- (1) Any private contract between the physician or practitioner and a Medicare beneficiary, that was entered into before the affidavit described in § 405.420 was filed, does not meet the specifications of § 405.415; or
- (2) He or she fails to submit the affidavit(s) in accordance with § 405.420.

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