

42 C.F.R. § 411.175

Basis for Medicare primary payments.

(a) *General rule.* CMS makes Medicare primary payments for covered services that are—

- (1) Furnished to Medicare beneficiaries who have declined to enroll in the GHP;
- (2) Not covered by the plan for any individuals or spouses who are enrolled by virtue of the individual's current employment status;
- (3) Covered under the plan but not available to particular individuals or spouses enrolled by virtue of current employment status because they have exhausted their benefits under the plan;

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