

## 42 C.F.R. § 411.206

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### Basis for Medicare primary payments and limits on secondary payments.

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(a) *General rule.* CMS makes Medicare primary payments for services furnished to disabled beneficiaries covered under the LGHP by virtue of their own or a family member's current employment status if the services are—

- (1) Furnished to Medicare beneficiaries who have declined to enroll in the GHP;
- (2) Not covered under the plan for the disabled individual or similarly situated individuals;
- (3) Covered under the plan but not available to particular disabled individuals because they have exhausted their benefits under the plan;

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