

**§ 406.50**

**Subpart D—Special Circumstances That Affect Entitlement to Hospital Insurance**

**§ 406.50 Nonpayment of benefits on behalf of certain aliens.**

(a) Hospital insurance benefit payments may not be made for services furnished to an alien in any month in which his or her monthly social security benefits are suspended (or would be suspended if he or she were entitled to those benefits) because the alien remains outside the United States for more than 6 months.

(b) Benefits will be payable beginning with services furnished in the first full calendar month the alien is back in the United States.

[48 FR 12536, Mar. 25, 1983. Redesignated at 51 FR 41338, Nov. 14, 1986. Further redesignated at 57 FR 58717, Dec. 11, 1992]

**§ 406.52 Conviction of certain offenses.**

(a) *Penalty that affects entitlement.* (1) If an individual is convicted of any of the crimes listed in § 406.11(c) (1) and (2), the court may impose, in addition to all other penalties, a penalty that affects entitlement to hospital insurance, beginning with the month of conviction.

(2) The additional penalty is that the individual's income (or the income of the insured individual on whose earnings record he or she became or seeks to become entitled) for the year of conviction and any previous year may not be counted in determining the insured status necessary for entitlement to hospital insurance.

(b) *Effect of pardon.* If the President of the United States pardons the convicted individual, that individual regains (or may again seek) entitlement effective with the month following the month in which the pardon is granted.

[48 FR 12536, Mar. 25, 1983. Redesignated at 51 FR 41338, Nov. 14, 1986. Further redesignated at 57 FR 58717, Dec. 11, 1992]

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**PART 407—SUPPLEMENTARY MEDICAL INSURANCE (SMI) ENROLLMENT AND ENTITLEMENT**

**Subpart A—General Provisions**

Sec.

- 407.1 Basis and scope.
- 407.2 General description of program.
- 407.4 Basic requirements for entitlement.

**Subpart B—Individual Enrollment and Entitlement for SMI**

- 407.10 Eligibility to enroll.
- 407.11 Forms used to apply for enrollment under Medicare Part B.
- 407.12 General enrollment provisions.
- 407.14 Initial enrollment period.
- 407.15 General enrollment period.
- 407.17 Automatic enrollment.
- 407.18 Determining month of automatic enrollment.
- 407.20 Special enrollment period related to coverage under group health plans.
- 407.22 Request for individual enrollment.
- 407.25 Beginning of entitlement: Individual enrollment.
- 407.27 Termination of entitlement: Individual enrollment.
- 407.30 Limitations on enrollment.
- 407.32 Prejudice to enrollment rights because of Federal Government misrepresentation, inaction, or error.

**Subpart C—State Buy-in Agreements**

- 407.40 Enrollment under a State buy-in agreement.
- 407.42 Buy-in groups available to the 50 States, the District of Columbia, and the Northern Mariana Islands.
- 407.43 Buy-in groups available to Puerto Rico, Guam, the Virgin Islands, and American Samoa.
- 407.45 Termination of State buy-in agreements.
- 407.47 Beginning of coverage under a State buy-in agreement.
- 407.48 Termination of coverage under a State buy-in agreement.
- 407.50 Continuation of coverage: Individual enrollment following end of coverage under a State buy-in agreement.

AUTHORITY: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

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