

MEDICARE PRIVATE CONTRACT

A provision in the Social Security Act permits Medicare beneficiaries and physicians to contract privately outside of the Medicare program. A "Private Contract" is a contract between a Medicare beneficiary (Patient) and a physician or other practitioner (Dentist) who has opted out of Medicare. In a private contract, the Medicare beneficiary agrees to give up Medicare payment for services furnished by the Dentist and to pay the Dentist without regard to any limits that would otherwise apply to what the Dentist could charge. **Patients and Dentists who take advantage of this provision are not permitted to submit claims or to expect payment for those services from Medicare.**

Patient Name _____ Date of Birth (DD/MM/YYYY) _____

Patient Street Address: _____ Apt: _____

City: _____ State: _____ Zip Code: _____

This agreement is between [insert Dentists name] whose office is located at [insert clinic address], and Patient (indicated above) who is a Medicare beneficiary seeking services. The Patient has been informed that the Dentist has opted out of the Medicare Program under §1128, 1156 or 1892 of the Social Security Act effective [insert expected or known opt-out effective date] through [insert expected or known opt-out expiration date].

By signing this contract, Patient does the following:

- (i) Agrees not to submit a Medicare claim (or to request that Dentist submit a claim) for services or items supplied by Dentist, even if they are otherwise covered under Medicare;
- (ii) Accepts full responsibility for payment of the physician's or practitioner's charge for all services furnished by the physician or practitioner;
- (iii) Understands that Medicare limits do not apply to what the physician or practitioner may charge for items or services furnished by the physician or practitioner;
- (iv) Understands that Medicare payment will not be made for any items or services furnished by the physician or practitioner that would have otherwise been covered by Medicare if there was no private contract and a proper Medicare claim had been submitted;
- (v) Enters into this contract with the knowledge that he or she has the right to obtain Medicare-covered items and services from physicians and practitioners who have not opted-out of Medicare, and that the beneficiary is not compelled to enter into private contracts that apply to other Medicare-covered services furnished by other physicians or practitioners who have not opted-out;
- (vi) Agrees that they are not now facing an emergency or urgent health care situation; [and](#)
- (vii) Acknowledges that a copy of this contract has been made available to him/her.

Patient Name: _____ Dentist Name: _____

Patient Signature: _____ Dentist Signature: _____

Date (DD/MM/YYYY): _____ Date (DD/MM/YYYY): _____