

119TH CONGRESS
2D SESSION

S. 4963

To amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2026

Mr. CASSIDY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Outpatient Surgery
5 Access Act of 2026”.

6 **SEC. 2. ALIGNING UPDATES FOR AMBULATORY SURGICAL**
7 **CENTER SERVICES WITH UPDATES FOR OPD**
8 **SERVICES.**

9 Section 1833(i)(2)(D) of the Social Security Act (42
10 U.S.C. 1395l(i)(2)(D)) is amended—

1 (1) in clause (v), by moving the margin 6 ems
2 to the left;

3 (2) by redesignating clause (vi) as clause (vii);
4 and

5 (3) by inserting after clause (v) the following
6 new clause:

7 “(vi) In implementing the system described in clause
8 (i) for 2027 and each subsequent year, the Secretary shall
9 apply an annual update under such system that is equal
10 to the OPD fee schedule increase factor specified under
11 subsection (t)(3)(C)(iv) for such year, adjusted in accord-
12 ance with clauses (iv) and (v).”.

13 **SEC. 3. ALIGNMENT OF BUDGET NEUTRALITY ADJUSTMENT**
14 **FOR OUTPATIENT SURGICAL PROCEDURES.**

15 (a) PROHIBITING ASC-SPECIFIC BUDGET NEU-
16 TRALITY ADJUSTMENT.—Section 1833(i)(2)(D)(ii) of the
17 Social Security Act (42 U.S.C. 1395l(i)(2)(D)(ii)) is
18 amended by adding at the end the following new sentence:
19 “In implementing such system for 2027 and each subse-
20 quent year, the Secretary may not apply under such sys-
21 tem any adjustment designed to result in the same aggre-
22 gate amount of expenditures for such services for the year
23 as would be made if this subparagraph did not apply (as
24 described in the preceding sentence).”.

1 (b) COMBINING VOLUME FOR BUDGET NEUTRALITY
2 CALCULATION.—Section 1833(t)(9)(B) of the Social Se-
3 curity Act (42 U.S.C. 1395l(t)(9)(B)) is amended by add-
4 ing at the end the following new sentence: “In determining
5 adjustments under the first sentence of this subparagraph
6 for 2027 and each subsequent year, the Secretary shall
7 take into account any expenditures made under the revised
8 payment system under subsection (i)(2)(D).”.

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