

116TH CONGRESS
1ST SESSION

H. R. 4838

To amend title XVIII of the Social Security Act to allow payments under the Medicare program for certain items and services furnished by off-campus outpatient departments of a provider to be determined under the prospective payment system for hospital outpatient department services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2019

Mr. MCGOVERN (for himself and Mr. SMITH of Nebraska) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to allow payments under the Medicare program for certain items and services furnished by off-campus outpatient departments of a provider to be determined under the prospective payment system for hospital outpatient department services, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “SOS: Sustaining Out-
3 patient Services Act”.

4 **SEC. 2. ALLOWING MEDICARE PAYMENTS FOR CERTAIN**
5 **ITEMS AND SERVICES FURNISHED BY OFF-**
6 **CAMPUS OUTPATIENT DEPARTMENTS OF A**
7 **PROVIDER TO BE DETERMINED UNDER THE**
8 **PROSPECTIVE PAYMENT SYSTEM FOR HOS-**
9 **PITAL OUTPATIENT DEPARTMENT SERVICES.**

10 Section 1833(t)(1)(B) of the Social Security Act (42
11 U.S.C. 1395l(t)(1)(B)) is amended—

12 (1) in clause (iv), by striking “and” at the end;

13 (2) in clause (v)—

14 (A) by inserting before “does not include”
15 the following: “subject to clause (vi),”; and

16 (B) by striking the period at the end and
17 inserting “; and”; and

18 (3) by adding at the end the following new
19 clause:

20 “(vi) includes, with respect to a year
21 (beginning with 2020), any item or serv-
22 ice—

23 “(I) that is furnished during
24 such year by an off-campus outpatient
25 department of a provider (as defined

1 in subparagraph (B) of paragraph
2 (21)); and

3 “(II) with respect to which the
4 greatest total amount paid with re-
5 spect to a physician speciality under
6 the physician fee schedule under sec-
7 tion 1848 for all such items or serv-
8 ices furnished by physicians in such
9 specialty during the previous year was
10 less than \$2,000,000.”.

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