

118TH CONGRESS
2D SESSION

S. 5184

To amend title XVIII of the Social Security Act to establish a floor on payments to sole community hospitals located in a non-contiguous State under the hospital outpatient prospective payment system.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. SULLIVAN (for himself, Mr. SCHATZ, and Ms. MURKOWSKI) 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 establish a floor on payments to sole community hospitals located in a non-contiguous State under the hospital outpatient prospective payment system.

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 “Save Our Lone Emer-
5 gency Services Act” or the “SOLES Act”.

1 **SEC. 2. TREATMENT OF SOLE COMMUNITY HOSPITALS LO-**
 2 **CATED IN A NONCONTIGUOUS STATE UNDER**
 3 **HOSPITAL OUTPATIENT PROSPECTIVE PAY-**
 4 **MENT SYSTEM.**

5 Section 1833(t)(7)(D) of the Social Security Act (42
 6 U.S.C. 1395l) is amended by adding at the end the fol-
 7 lowing new clause:

8 “(iii) TREATMENT OF SOLE COMMU-
 9 NITY HOSPITALS LOCATED IN A NON-
 10 CONTIGUOUS STATE.—In the case of a sole
 11 community hospital (as defined in section
 12 1886(d)(5)(D)(iii)) that is located in a
 13 noncontiguous State, for covered OPD
 14 services furnished on or after January 1,
 15 2025, for which the PPS amount is less
 16 than the pre-BBA amount, the amount of
 17 payment under this subsection shall be in-
 18 creased by 94 percent of the amount of
 19 such difference.”.

○