

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 8943

To amend title XVIII of the Social Security Act to prohibit payments for graduate medical education costs attributable to individuals who are not citizens or nationals of the United States under the Medicare program.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2026

Mr. STEUBE introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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

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## A BILL

To amend title XVIII of the Social Security Act to prohibit payments for graduate medical education costs attributable to individuals who are not citizens or nationals of the United States 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 “Our Doctors First Act  
5 of 2026”.

1 **SEC. 2. PROHIBITING FEDERALLY-FUNDED GRADUATE**  
2 **MEDICAL EDUCATION FOR NON-CITIZENS**  
3 **UNDER MEDICARE.**

4 (a) HOSPITAL PAYMENTS FOR DIRECT GRADUATE  
5 MEDICAL EDUCATION COSTS.—Section 1886(h) of the  
6 Social Security Act (42 U.S.C. 1395ww(h)) is amended—

7 (1) in paragraph (1), by inserting “, subject to  
8 paragraph (11)” after “of this subsection”;

9 (2) in paragraph (4), by adding at the end the  
10 following new subparagraph:

11 “(L) NON-CITIZEN RESIDENTS.—Such  
12 rules shall provide that, effective for cost re-  
13 porting periods beginning on or after the date  
14 that is 1 year after the date of the enactment  
15 of this subparagraph, an individual shall not be  
16 counted as a resident unless such individual is  
17 a citizen or national of the United States.”; and

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

20 “(11) SANCTIONS FOR COUNTING NON-CITIZEN  
21 RESIDENTS.—

22 “(A) IN GENERAL.—Effective for cost re-  
23 porting periods beginning on or after the date  
24 that is 1 year after the date of the enactment  
25 of this paragraph, a hospital that submits a  
26 cost report counting 1 or more individuals who

1 such hospital knows or should know are not  
2 citizens or nationals of the United States as in-  
3 terns or residents for purposes of payment  
4 under this subsection in violation of paragraph  
5 (4)(L) or payment under paragraphs (5)(B)  
6 and (11) of subsection (d) in violation of sub-  
7 section (d)(5)(B)(xiv) shall be subject to the fol-  
8 lowing sanctions:

9 “(i) In the case of the first cost re-  
10 porting period for which such hospital sub-  
11 mits such a cost report, a civil monetary  
12 penalty equal to 25 percent of the payment  
13 amount that would be attributable to the  
14 individuals so counted pursuant to such  
15 cost report if such individuals were per-  
16 mitted to be so counted under this sub-  
17 section and subsection (d)(5)(B).

18 “(ii) In the case of the second cost re-  
19 porting period for which such hospital sub-  
20 mits such a cost report, a civil monetary  
21 penalty equal to \$1,000,000.

22 “(iii) In the case of the third cost re-  
23 porting period for which such hospital sub-  
24 mits such a cost report, such hospital shall  
25 be excluded from receiving payments under

1 this subsection and paragraphs (5)(B) and  
2 (11) of subsection (d) for a period of 5  
3 years.

4 “(iv) In the case of each subsequent  
5 cost reporting period for which such hos-  
6 pital submits such a cost report, such hos-  
7 pital shall be excluded from receiving pay-  
8 ments under this subsection and para-  
9 graphs (5)(B) and (11) of subsection (d)  
10 for a period of 10 years.

11 “(B) PROCEDURES.—

12 “(i) CIVIL MONETARY PENALTIES.—  
13 The provisions of section 1128A (other  
14 than subsection (a) and (b) of such sec-  
15 tion) shall apply to civil monetary penalties  
16 under this paragraph in the same manner  
17 as such provisions apply to a penalty or  
18 proceeding under subsection (a) of such  
19 section.

20 “(ii) EXCLUSION FROM PAYMENTS.—  
21 The provisions of subsections (c)(1) and (f)  
22 of section 1128 shall apply to an exclusion  
23 from receiving payments under this para-  
24 graph in the same manner as such provi-

1                   sions apply to exclusions from participation  
2                   under such section.”.

3           (b) HOSPITAL PAYMENTS FOR INDIRECT COSTS OF  
4 MEDICAL EDUCATION.—Section 1886(d) of the Social Se-  
5 curity Act (42 U.S.C. 1395ww(d))—

6           (1) in paragraph (5)(B)—

7                   (A) by striking “The Secretary” and in-  
8                   serting “Subject to subsection (h)(11), the Sec-  
9                   retary”; and

10                   (B) by adding at the end the following new  
11                   clause:

12                   “(xiv) For discharges occurring on or after the  
13                   first July 1 occurring on or after the date that is 1  
14                   year after the date of the enactment of this clause,  
15                   an individual shall not be counted as an intern or a  
16                   resident under this subparagraph unless such indi-  
17                   vidual is a citizen or national of the United States.”;  
18                   and

19                   (2) in paragraph (11)(A), by inserting “subject  
20                   to subsection (h)(11),” before “the Secretary”.

21           (c) NONHOSPITAL PROVIDER PAYMENTS FOR DI-  
22 RECT COSTS OF MEDICAL EDUCATION.—Section 1886(k)  
23 of the Social Security Act (42 U.S.C. 1395ww(k)) is  
24 amended by adding at the end the following new para-  
25 graph:

1           “(3) NON-CITIZEN RESIDENTS.—

2                   “(A) IN GENERAL.—Effective for cost re-  
3           reporting periods beginning on or after the date  
4           that is 1 year after the date of the enactment  
5           of this paragraph, payment may not be made  
6           under this subsection for direct costs of medical  
7           education incurred with respect to residents  
8           who are not citizens or nationals of the United  
9           States.

10           “(B) PENALTIES.—

11                   “(i) IN GENERAL.—Effective for cost  
12           reporting periods beginning on or after the  
13           date that is 1 year after the date of the en-  
14           actment of this paragraph, a qualified non-  
15           hospital provider that submits a cost re-  
16           port requesting payment under this sub-  
17           section for direct costs of medical edu-  
18           cation incurred with respect to 1 or more  
19           residents who such qualified nonhospital  
20           provider knows or should know are not  
21           citizens or nationals of the United States  
22           in violation of subparagraph (A) shall be  
23           subject to the following sanctions:

24                   “(I) In the case of the first cost  
25           reporting period for which such quali-

1           fied nonhospital provider submits such  
2           a cost report, a civil monetary penalty  
3           equal to 25 percent of the payment  
4           amount requested pursuant to such  
5           cost report for direct costs of medical  
6           education incurred with respect to  
7           such residents.

8           “(II) In the case of the second  
9           cost reporting period for which such  
10          qualified nonhospital provider submits  
11          such a cost report, a civil monetary  
12          penalty equal to \$1,000,000.

13          “(III) In the case of the third  
14          cost reporting period for which such  
15          qualified nonhospital provider submits  
16          such a cost report, such qualified non-  
17          hospital provider shall be excluded  
18          from receiving payments under this  
19          subsection for a period of 5 years.

20          “(IV) In the case of each subse-  
21          quent cost reporting period for which  
22          such qualified nonhospital provider  
23          submits such a cost report, such  
24          qualified nonhospital provider shall be  
25          excluded from receiving payments

1 under this subsection for a period of  
2 10 years.

3 “(ii) PROCEDURES.—

4 “(I) CIVIL MONETARY PEN-  
5 ALTIES.—The provisions of section  
6 1128A (other than subsection (a) and  
7 (b) of such section) shall apply to civil  
8 monetary penalties under this sub-  
9 paragraph in the same manner as  
10 such provisions apply to a penalty or  
11 proceeding under subsection (a) of  
12 such section.

13 “(II) EXCLUSION FROM PAY-  
14 MENTS.—The provisions of sub-  
15 sections (c)(1) and (f) of section 1128  
16 shall apply to an exclusion from re-  
17 ceiving payments under this subpara-  
18 graph in the same manner as such  
19 provisions apply to exclusions from  
20 participation under such section.”.

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