

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

# S. 4070

To amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 12, 2026

Mr. YOUNG (for himself and Mr. WARNOCK) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Diabetes Foot Health  
5 Access and Modernization Act of 2026”.

1 **SEC. 2. RECOGNIZING DOCTORS OF PODIATRIC MEDICINE**  
2 **AS PHYSICIANS UNDER THE MEDICAID PRO-**  
3 **GRAM.**

4 (a) **IN GENERAL.**—Section 1905(a)(5)(A) of the So-  
5 cial Security Act (42 U.S.C. 1396d(a)(5)(A)) is amended  
6 by striking “section 1861(r)(1)” and inserting “para-  
7 graphs (1) and (3) of section 1861(r)”.

8 (b) **EFFECTIVE DATE.**—

9 (1) **IN GENERAL.**—Except as provided in para-  
10 graph (2), the amendment made by subsection (a)  
11 shall apply to services furnished on or after January  
12 1, 2026.

13 (2) **EXTENSION OF EFFECTIVE DATE FOR**  
14 **STATE LAW AMENDMENT.**—In the case of a State  
15 plan under title XIX of the Social Security Act (42  
16 U.S.C. 1396 et seq.) which the Secretary of Health  
17 and Human Services determines requires State legis-  
18 lation in order for the plan to meet the additional  
19 requirement imposed by the amendment made by  
20 subsection (a), the State plan shall not be regarded  
21 as failing to comply with the requirements of such  
22 title solely on the basis of its failure to meet these  
23 additional requirements before the first day of the  
24 first calendar quarter beginning after the close of  
25 the first regular session of the State legislature that  
26 begins after the date of enactment of this Act. For

1 purposes of the previous sentence, in the case of a  
 2 State that has a 2-year legislative session, each year  
 3 of the session is considered to be a separate regular  
 4 session of the State legislature.

5 **SEC. 3. CLARIFYING MEDICARE DOCUMENTATION RE-**  
 6 **QUIREMENTS FOR THERAPEUTIC SHOES FOR**  
 7 **PERSONS WITH DIABETES.**

8 (a) IN GENERAL.—Section 1861(s)(12) of the Social  
 9 Security Act (42 U.S.C. 1395x(s)(12)) is amended to read  
 10 as follows:

11 “(12) extra-depth shoes with inserts or custom  
 12 molded shoes with inserts for an individual with dia-  
 13 betes, if—

14 “(A) a physician as defined in subsection  
 15 (r) of this section—

16 “(i) documents that the individual has  
 17 peripheral neuropathy that may include al-  
 18 tered foot sensation, weakness, or dimin-  
 19 ished motor control of the lower extremity;  
 20 a history of pre-ulcerative calluses or other  
 21 ulceration of the foot; foot deformity, pre-  
 22 vious lower extremity amputation, or poor  
 23 lower extremity circulation;

24 “(ii) attests that the individual has a  
 25 diabetes diagnosis and is under a com-

1                   prehensive plan of care related to the indi-  
2                   vidual’s diabetic condition; and

3                   “(iii) attests that the individual needs  
4                   such shoes; and

5                   “(B) the shoes are fitted and furnished by  
6                   a physician or other qualified individual (such  
7                   as a pedorthist or orthotist) as established by  
8                   the Secretary;”.

9           (b) CONFORMING AMENDMENT.—Section 1877(h)(6)  
10 of the Social Security Act (42 U.S.C. 1395nn(h)(6)) is  
11 amended by inserting after subparagraph (L) the fol-  
12 lowing:

13                   “(M) Extra-depth shoes with inserts or  
14                   custom molded shoes with inserts.”.

15           (c) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) shall apply with respect to items and serv-  
17 ices furnished on or after January 1, 2028.

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