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.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “SOS: Sustaining Outpatient Services Act”.

SEC. 2. ALLOWING MEDICARE PAYMENTS 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.

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

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

(2) in clause (v)—

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

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

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

“(vi) includes, with respect to a year (beginning with 2020), any item or service—

“(I) that is furnished during such year by an off-campus outpatient department of a provider (as defined
in subparagraph (B) of paragraph (21)); and

“(II) with respect to which the greatest total amount paid with respect to a physician speciality under the physician fee schedule under section 1848 for all such items or services furnished by physicians in such specialty during the previous year was less than $2,000,000.”.