

118TH CONGRESS  
1ST SESSION

# H. R. 955

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 2023

Mr. SMITH of Nebraska (for himself and Mr. MCGOVERN) 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

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## 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 2024), 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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