

119TH CONGRESS
2D 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.

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

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 porting 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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