

119TH CONGRESS
2D SESSION

S. 3908

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 SENATE OF THE UNITED STATES

FEBRUARY 25, 2026

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

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “SOS: Sustaining Out-
5 patient Services Act”.

1 **SEC. 2. ALLOWING MEDICARE PAYMENTS FOR CERTAIN**
 2 **ITEMS AND SERVICES FURNISHED BY OFF-**
 3 **CAMPUS OUTPATIENT DEPARTMENTS OF A**
 4 **PROVIDER TO BE DETERMINED UNDER THE**
 5 **PROSPECTIVE PAYMENT SYSTEM FOR HOS-**
 6 **PITAL OUTPATIENT DEPARTMENT SERVICES.**

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

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

10 (2) in clause (v)—

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

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

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

17 “(vi) includes, with respect to a year
 18 (beginning with 2027), any item or serv-
 19 ice—

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

25 “(II) with respect to which the
 26 greatest total amount paid with re-

1 spect to a physician specialty under
2 the physician fee schedule under sec-
3 tion 1848 for all such items or serv-
4 ices furnished by physicians in such
5 specialty during the previous year was
6 less than \$2,000,000.”.

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