

118TH CONGRESS
2D SESSION

S. 3691

To amend title XVIII of the Social Security Act to provide for the application of a cost-of-living adjustment to the non-labor related portion for hospital outpatient department services furnished in Alaska and Hawaii.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2024

Mr. SULLIVAN (for himself, Mr. SCHATZ, Ms. MURKOWSKI, and Ms. HIRONO) 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 provide for the application of a cost-of-living adjustment to the non-labor related portion for hospital outpatient department services furnished in Alaska and Hawaii.

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 “Ensuring Outpatient
5 Quality for Rural States Act”.

1 **SEC. 2. APPLICATION OF COST-OF-LIVING ADJUSTMENT TO**
2 **NON-LABOR RELATED PORTION FOR HOS-**
3 **PITAL OUTPATIENT DEPARTMENT SERVICES**
4 **FURNISHED IN ALASKA AND HAWAII.**

5 Section 1833(t) of the Social Security Act (42 U.S.C.
6 1395l(t)) is amended by adding at the end the following
7 new paragraph:

8 “(23) APPLICATION OF COST-OF-LIVING AD-
9 JUSTMENT TO NON-LABOR RELATED PORTION FOR
10 HOSPITAL OUTPATIENT DEPARTMENT SERVICES
11 FURNISHED IN ALASKA AND HAWAII.—With respect
12 to OPD services furnished on or after January 1,
13 2025, the Secretary may provide for adjustments to
14 the payment amounts under this subsection for such
15 services in the same manner that is provided under
16 section 1886(d)(5)(H) with respect to the applica-
17 tion of the cost-of-living adjustment to the non-labor
18 related portion of such payment amounts to take
19 into account the unique circumstances of hospitals
20 located in Alaska or Hawaii. The preceding sentence
21 shall not be applied in a budget neutral manner.”.

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