

119TH CONGRESS
1ST SESSION

S. _____

To amend title XVIII of the Social Security Act to establish a floor on payments to sole community hospitals located in Alaska and Hawaii under the hospital outpatient prospective payment system.

IN THE SENATE OF THE UNITED STATES

Mr. SULLIVAN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to establish a floor on payments to sole community hospitals located in Alaska and Hawaii under the hospital outpatient prospective payment system.

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 “Save our Lone Emer-
5 gency Services Act” or the “SOLES Act”.

1 **SEC. 2. TREATMENT OF SOLE COMMUNITY HOSPITALS LO-**
2 **CATED IN ALASKA AND HAWAII UNDER HOS-**
3 **PITAL OUTPATIENT PROSPECTIVE PAYMENT**
4 **SYSTEM.**

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) TREATMENT OF SOLE COMMUNITY HOS-
9 PITALS LOCATED IN ALASKA AND HAWAII.—

10 “(A) IN GENERAL.—If the Secretary deter-
11 mines that the amount of payment under this
12 subsection for covered OPD services furnished
13 by a sole community hospital (as defined in sec-
14 tion 1886(d)(5)(D)(iii)) that is located in Alas-
15 ka or Hawaii is less than 94 percent of the rea-
16 sonable costs (as defined in section 1861(v)) of
17 the hospital providing such services, the amount
18 of payment under this subsection shall be in-
19 creased by the amount of such difference.

20 “(B) NO EFFECT ON COPAYMENTS.—
21 Nothing in this paragraph shall be construed to
22 affect the copayment amount under paragraph
23 (8).

24 “(C) APPLICATION WITHOUT REGARD TO
25 BUDGET NEUTRALITY.—The additional pay-
26 ments made under this paragraph—

1 “(i) shall not be considered an adjust-
2 ment under paragraph (2)(E); and

3 “(ii) shall not be implemented in a
4 budget neutral manner.

5 “(D) RULEMAKING.—Not later than 6
6 months after the date of enactment of this
7 paragraph, the Secretary shall promulgate regu-
8 lations to carry out this paragraph, which shall
9 be effective with respect to covered OPD serv-
10 ices furnished on or after the first January 1
11 after such date.”.