

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3561
OFFERED BY MS. SCHAKOWSKY OF ILLINOIS**

Add at the end of title I the following new section:

1 **SEC. 108. REQUIRING AMBULATORY SURGICAL CENTERS**
2 **TO REPORT COST DATA.**

3 Section 1833(i) of the Social Security Act (42 U.S.C.
4 1395l(i)) is amended—

5 (1) in paragraph (2)(D)—

6 (A) by redesignating clause (vi) as clause
7 (vii); and

8 (B) by inserting after clause (v) the fol-
9 lowing new clause:

10 “(vi) In implementing the system described in clause
11 (i) for 2025 and each subsequent year, any annual update
12 under such system for the year, after application of
13 clauses (iv) and (v), shall be reduced by 2.0 percentage
14 points with respect to surgical services furnished by an
15 ambulatory surgical center that is not in compliance with
16 paragraph (11) for such year. The application of the pre-
17 ceding sentence may result in such update being less than
18 0.0 for such services so furnished in a year, and may re-
19 sult in payment rates under the system described in clause

1 (i) for such services so furnished in a year being less than
2 such payment rates for such services so furnished in the
3 preceding year. A reduction under this clause shall apply
4 only with respect to the year involved and the Secretary
5 shall not take into account such reduction in computing
6 any annual update for a subsequent year.”; and

7 (2) by adding at the end the following new
8 paragraph:

9 “(11) COST DATA REPORTING REQUIREMENT.—
10 An ambulatory surgical center shall report to the
11 Secretary, at a time and in a manner specified by
12 the Secretary, cost data with respect to surgical
13 services furnished by such center in a year (begin-
14 ning with 2025) for which payment may be made
15 under the system described in paragraph (2)(D)(i).”.

