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3 To amend title XVIII of the Social Security Act to count a period of receipt of outpatient
4 observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for
5 coverage of skilled nursing facility services under Medicare.

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7 Ms. Collins (for herself and Mr. Welch) introduced the following bill; which was read twice and
8 referred to the Committee on _____
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10 Be it enacted by the Senate and House of Representatives of the United States of America in
11 Congress assembled,

12 SECTION 1. SHORT TITLE.

13 This Act may be cited as the “Improving Access to Medicare Coverage Act of 2026”.

14 SEC. 2. COUNTING A PERIOD OF RECEIPT OF 15 OUTPATIENT OBSERVATION SERVICES IN A HOSPITAL 16 TOWARD THE 3-DAY INPATIENT HOSPITAL 17 REQUIREMENT FOR COVERAGE OF SKILLED NURSING 18 FACILITY SERVICES UNDER MEDICARE.

19 (a) In General.—Section 1861(i) of the Social Security Act (42 U.S.C. 1395x(i)) is amended
20 by adding at the end the following: “For purposes of this subsection, an individual receiving
21 outpatient observation services shall be deemed to be an inpatient during such period, and the
22 date such individual ceases receiving such services shall be deemed the hospital discharge date
23 (unless such individual is admitted as a hospital inpatient at the end of such period).”.

24 (b) Effective Date.—The amendment made by subsection (a) shall apply to receipt of
25 outpatient observation services beginning on or after January 1, 2026, but applies to a period of
26 post-hospital extended care services that was completed before the date of the enactment of this
27 Act only if an administrative appeal is or has been made with respect to such services not later
28 than 90 days after the date of the enactment of this Act. Notwithstanding any other provision of
29 law, the Secretary of Health and Human Services may implement such amendment through an
30 interim final regulation, program instruction, or otherwise.