

109TH CONGRESS
1ST SESSION

H. R. 4491

To provide loans and grants for fire sprinkler retrofitting in nursing facilities.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2005

Mr. LARSON of Connecticut (for himself, Mr. KING of New York, Mr. NEAL of Massachusetts, Ms. JACKSON-LEE of Texas, Mr. RUPPERSBERGER, Mr. RANGEL, Mr. WEXLER, Mr. PAYNE, Mr. SCHWARZ of Michigan, Mr. TERRY, Mr. CLEAVER, Mr. SHIMKUS, Mr. SMITH of New Jersey, Mr. ENGLISH of Pennsylvania, and Mr. GORDON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide loans and grants for fire sprinkler retrofitting
in nursing facilities.

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 “Nursing Home Fire
5 Safety Act of 2005”.

6 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) On February 26, 2003, a fire at a Hart-
9 ford, Connecticut, nursing facility without an auto-

1 matic fire sprinkler system claimed the lives of 16
2 patients, and on September 27, 2003, a fire at a
3 Nashville, Tennessee, nursing home without an auto-
4 matic fire sprinkler system claimed the lives of 15
5 patients.

6 (2) The National Fire Protection Association
7 finds no record of a multiple death fire in a nursing
8 facility equipped with an automatic fire sprinkler
9 system.

10 (3) An estimated 1.5 million Americans reside
11 in approximately 16,300 nursing facilities nation-
12 wide, an estimated 20 to 30 percent of which lack
13 an automatic fire sprinkler system.

14 (4) Many nursing facilities lack the financial
15 capital to install sprinklers on their own and must
16 consider closure as an alternative to taking on large
17 loans or other financing options in order to install
18 sprinklers.

19 (5) In a July 2004 report, the GAO found that
20 “the substantial loss of life in the Hartford and
21 Nashville fires could have been reduced or eliminated
22 by the presence of properly functioning automatic
23 sprinkler systems” and that “Federal oversight of
24 nursing home compliance with fire safety standards
25 is inadequate”.

1 (6) Recognizing that automatic fire sprinkler
2 systems greatly improve the chances of survival for
3 older adults in the event of a fire, the National Fire
4 Protection Association, with the support of the
5 American Health Care Association, the fire safety
6 community, and the nursing facility profession, re-
7 cently issued the 2006 edition of the Life Safety
8 Code which requires automatic sprinklers in all ex-
9 isting nursing facilities.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) within five years, every nursing facility in
13 America should be equipped with automatic fire
14 sprinklers in order to ensure patient, resident, and
15 staff safety;

16 (2) the Centers for Medicare and Medicaid
17 Services (CMS) should quickly adopt the 2006 edi-
18 tion of the Life Safety Code, recently issued by the
19 National Fire Protection Association with the sup-
20 port of the nursing home industry, which includes
21 the requirement that all nursing facilities be fully
22 sprinklered; and

23 (3) the Centers for Medicare and Medicaid
24 Services, in collaboration with the Congress, take
25 into consideration the costs of retrofitting existing

1 nursing home facilities and commit itself to pro-
2 viding facilities with the critical financial resources
3 necessary to ensure the speedy and full installation
4 of life saving sprinkler systems.

5 **SEC. 3. DIRECT LOANS FOR FIRE SPRINKLERS RETROFITS.**

6 (a) **AUTHORITY.**—Not later than 120 days after the
7 date of the enactment of this Act, the Secretary of Health
8 and Human Services shall establish a program of direct
9 loans to existing nursing facilities to finance the retrofit
10 of the facilities with an automatic fire sprinkler system.
11 Such loans shall be made under terms and conditions spec-
12 ified by the Secretary.

13 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There is
14 authorized to be appropriated to carry out this section
15 \$200,000,000 for fiscal year 2007, \$100,000,000 for fis-
16 cal year 2008, \$75,000,000 for fiscal year 2009,
17 \$50,000,000 for fiscal year 2010, and \$25,000,000 for fis-
18 cal year 2011.

19 **SEC. 4. SPRINKLER RETROFIT ASSISTANCE GRANTS.**

20 (a) **AUTHORITY.**—Not later than 120 days after the
21 date of the enactment of this Act, the Secretary of Health
22 and Human Services shall establish a program to award
23 grants to nursing facilities for the purposes of retrofitting
24 them with an automatic fire sprinkler system. Such grants

1 shall be awarded under terms and conditions specified by
2 the Secretary.

3 (b) PRIORITY.—In awarding grants under this sec-
4 tion, the Secretary shall give a priority to applications that
5 demonstrate a need or hardship. In determining hardship,
6 the Secretary may take into account factors such as the
7 number of Medicare and Medicaid patients, the age and
8 condition of the facility, and the need for nursing facility
9 beds in the community involved.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section
12 \$20,000,000 for each fiscal years 2007 through 2011.

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