

110TH CONGRESS  
1ST SESSION

# S. 1615

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

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## IN THE SENATE OF THE UNITED STATES

JUNE 13, 2007

Mr. DODD (for himself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JUNE 25, 2007

Committee discharged; referred to the Committee on Banking, Housing, and Urban Affairs

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## 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 2007”.

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

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

1           (1) An estimated 1,500,000 Americans reside in  
2           approximately 16,300 nursing facilities nationwide,  
3           an estimated 20 to 30 percent of which lack an  
4           automatic fire sprinkler system.

5           (2) In a July 2004 report, the Government Ac-  
6           countability Office found that “the substantial loss  
7           of life in [recent nursing home] fires could have been  
8           reduced or eliminated by the presence of properly  
9           functioning automatic sprinkler systems” and that  
10          “Federal oversight of nursing home compliance with  
11          fire safety standards is inadequate”.

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

17          (4) Recognizing that automatic fire sprinkler  
18          systems greatly improve the chances of survival for  
19          older adults in the event of a fire, the National Fire  
20          Protection Association, with the support of the  
21          American Health Care Association, the fire safety  
22          community, and the nursing facility profession, re-  
23          cently adopted requirements for automatic sprinklers  
24          in all existing nursing facilities.

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

3 (1) within 5 years, every nursing facility in  
4 America should be equipped with automatic fire  
5 sprinklers in order to ensure patient, resident, and  
6 staff safety;

7 (2) the Centers for Medicare & Medicaid Serv-  
8 ices (CMS) should require all nursing homes to be  
9 fully sprinklered as recently required by the Life  
10 Safety Code of the National Fire Protection Associa-  
11 tion with the support of the nursing home industry,  
12 which includes the requirement that all nursing fa-  
13 cilities be fully sprinklered; and

14 (3) the Centers for Medicare & Medicaid Serv-  
15 ices, in collaboration with Congress, should take into  
16 consideration the costs of retrofitting existing nurs-  
17 ing home facilities and commit itself to providing fa-  
18 cilities with the critical financial resources necessary  
19 to ensure the speedy and full installation of life sav-  
20 ing sprinkler systems.

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

22 (a) AUTHORITY.—Not later than 120 days after the  
23 date of enactment of this Act, the Secretary of Health and  
24 Human Services shall establish a program of direct loans  
25 to existing nursing facilities to finance retrofitting the fa-

1 cilities with an automatic fire sprinkler system. Such loans  
2 shall be made under terms and conditions specified by the  
3 Secretary.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
5 authorized to be appropriated to carry out this section  
6 such sums as may be necessary for each of fiscal years  
7 2008 through 2012.

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

9 (a) AUTHORITY.—Not later than 120 days after the  
10 date of enactment of this Act, the Secretary of Health and  
11 Human Services shall establish a program to award grants  
12 to nursing facilities for the purposes of retrofitting them  
13 with an automatic fire sprinkler system. Such grants shall  
14 be awarded under terms and conditions specified by the  
15 Secretary.

16 (b) PRIORITY.—In awarding grants under this sec-  
17 tion, the Secretary shall give a priority to applications that  
18 demonstrate a need or hardship. In determining hardship,  
19 the Secretary may take into account factors such as the  
20 number of residents who are entitled to or enrolled in the  
21 medicare program under title 18 of the Social Security  
22 Act (42 U.S.C. 1395 et seq.) or receiving assistance under  
23 the medicaid program under title 19 of such Act (42  
24 U.S.C. 1396 et seq.), the age and condition of the facility,

1 and the need for nursing facility beds in the community  
2 involved.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to carry out this section  
5 such sums as may be necessary for each of fiscal years  
6 2008 through 2012.

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