

110TH CONGRESS  
2D SESSION

# S. 3586

To provide loans to hospitals and nonprofit health care institutions to implement green building technologies, waste management techniques, and other environmentally sustainable practices to improve employee performance, reduce healthcare costs, and improve patient outcomes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Mrs. CLINTON introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide loans to hospitals and nonprofit health care institutions to implement green building technologies, waste management techniques, and other environmentally sustainable practices to improve employee performance, reduce healthcare costs, and improve patient outcomes.

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 “Green Hospitals,  
5   Healthy Hospitals Act of 2008”.

1 **SEC. 2. LOANS FOR HEALTH CARE.**

2 (a) IN GENERAL.—The Secretary of Health and  
3 Human Services (referred to in this Act as the “Sec-  
4 retary”), acting in conjunction with the Administrator of  
5 the Health Resources and Services Administration, shall  
6 make available to eligible non-profit hospitals and non-  
7 profit health care institutions 30-year no interest loans to  
8 be used to assist such entities to carry out new construc-  
9 tion or to make renovations that will—

10 (1) enable such entities to achieve compliance  
11 with the guidelines of the “Green Guide for Health  
12 Care”; or

13 (2) enable such entities to achieve compliance  
14 with any successor regulations determined appro-  
15 priate by the Secretary.

16 (b) ELIGIBILITY.—To be eligible to receive a loan  
17 under subsection (a), a non-profit hospital or non-profit  
18 health care institution shall submit to the Secretary an  
19 application at such time, in such manner, and containing  
20 such information and agreements as the Secretary may  
21 require.

22 (c) GENERAL PROVISIONS RELATING TO LOANS.—

23 (1) TERMS AND CONDITIONS.—The Secretary  
24 may not approve an application for a loan under this  
25 section unless the Secretary determines that the  
26 terms, conditions, security, and schedule and

1 amount of repayments with respect to the loan are  
2 sufficient to protect the financial interests of the  
3 United States and are otherwise reasonable.

4 (2) PAYMENTS.—The Secretary may not ap-  
5 prove an application for a loan under this section  
6 unless—

7 (A) the Secretary is reasonably satisfied  
8 that the applicant therefore will be able to make  
9 payments of principal thereon when due; and

10 (B) the applicant provides the Secretary  
11 with reasonable assurances that there will be  
12 available to such applicant such additional  
13 funds as may be necessary to complete the  
14 project or undertaking with respect to which  
15 such loan is requested.

16 (3) REQUIREMENTS.—A loan made under this  
17 section shall—

18 (A) have such security;

19 (B) have such maturity date;

20 (C) be repayable in such installments; and

21 (D) be subject to such other terms and  
22 conditions (including provisions for recovery in  
23 case of default), as the Secretary determines to  
24 be necessary to carry out the purposes of this

1           section while adequately protecting the financial  
2           interests of the United States.

3           (4) WAIVER OR RIGHT OF RECOVERY.—The  
4           Secretary may, for good cause but with due regard  
5           to the financial interests of the United States, waive  
6           any right of recovery which the Secretary has by  
7           reason of the failure of a applicant to make pay-  
8           ments of principal on a loan made under this sec-  
9           tion.

10          (d) REGULATIONS.—Not later than 150 days after  
11       the date of enactment of this Act, the Secretary, in con-  
12       sultation with the Secretary of the Treasury, shall promul-  
13       gate final regulations and rules (with a comment period  
14       that does not exceed 60 days), that shall be in addition  
15       to, and consistent with this Act that shall be used to deter-  
16       mine eligibility for participation in the program under this  
17       section, the scope of such program, the purposes for which  
18       loan funds may be used, the application requirements, the  
19       security requirements, and the requirements for the ad-  
20       ministration and oversight of the program which shall in-  
21       clude a system in which such loans are repaid to the  
22       United States. Such regulations shall provide that in de-  
23       termining the entities that are eligible for participation in  
24       such loan program and in approving the applications of  
25       such entities, the Secretary shall give priority consider-

1 ation to non-profit hospitals or non-profit health institu-  
2 tions that have a low income utilization rate (as defined  
3 in section 1923(b)(3) of the Social Security Act (42  
4 U.S.C. 1396r-4(b)(3))) that is greater than 25 percent.

5 (e) EVALUATIONS.—Not later than 1 year after mak-  
6 ing a loan under this section, and annually thereafter, the  
7 Secretary shall conduct an evaluation of new or updated  
8 green health care guidelines developed by entities such as  
9 the United States Green Building Council, and determine  
10 whether such guidelines should be included in the require-  
11 ments for the loan program established under this section.

12 (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
13 authorized to be appropriated to carry out this section,  
14 \$100,000,000 for each of fiscal years 2009 through 2013.  
15 Of the amount appropriate for any fiscal year under the  
16 preceding sentence, such sums as are determined nec-  
17 essary by the Secretary shall be allocated to the Health  
18 Resource and Services Administration for the Administra-  
19 tion of the program under this section.

20 (g) CARRYOVER.—Amounts appropriated for a fiscal  
21 year under subsection (f) that are not disbursed in such  
22 fiscal year may be carried forward to the next fiscal year  
23 to be used under this section and applied to that fiscal  
24 year's allocation.

1 **SEC. 3. RESEARCH FOR HEALTH CARE.**

2 (a) INSTITUTE OF MEDICINE.—The Secretary shall  
3 enter into a contract with the Institute of Medicine for  
4 the submission of a report on the ways in which the use  
5 of green building technologies, waste management tech-  
6 niques, and other environmentally sustainable practices  
7 improve employee performance, reduce health care costs,  
8 and improve patient outcomes.

9 (b) AGENCY FOR HEALTHCARE RESEARCH AND  
10 QUALITY.—Not later than 3 years after the date of enact-  
11 ment of this Act, and every 3 years thereafter, the Agency  
12 for Healthcare Research and Quality shall include in the  
13 health care quality report under section 913(b)(2) of the  
14 Public Health Service Act (42 U.S.C. 299b–2(b)(2)), a  
15 section that summarizes the most recent research on green  
16 health care and the ways in which environmentally sus-  
17 tainable practices can improve employee performance, re-  
18 duce healthcare costs, and improve patient outcomes.

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