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118TH CONGRESS
1ST SESSION

H. R. 5648

To amend the National Housing Act to authorize mortgage insurance for certain treatment facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2023

Mr. MOONEY (for himself and Ms. PETTERSEN) introduced the following bill; which was referred to the Committee on Financial Services

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A BILL

To amend the National Housing Act to authorize mortgage insurance for certain treatment facilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Assistance for Recovery and Empowerment Act" or the "CARE Act".

SEC. 2. MORTGAGE INSURANCE FOR CERTAIN TREATMENT FACILITIES.

(a) IN GENERAL.—Section 232 of the National Housing Act (12 U.S.C. 1715w) is amended—

(1) in subsection (b)—

(A) in paragraph (6)(C), by striking ‘‘and’’ at the end;

(B) in paragraph (7), by striking the final period and inserting a semicolon; and

(C) by adding at the end the following:

‘‘(8) the term ‘inpatient psychiatric treatment facility’ means a public facility, proprietary facility, or facility of a private nonprofit corporation or association that—

‘‘(A) is licensed or regulated by the State (or, if there is no State law providing for such licensing or regulation by the State, by the municipality or other political subdivision in which the facility is located) for inpatient psychiatric treatment; or

‘‘(B) has deemed status in the State pursuant to accreditation by the Joint Commission, the Commission on the Accreditation of Rehabilitation Facilities, or the Council on Accreditation; and

‘‘(9) the term ‘chemical dependence treatment facility’ means a public facility, proprietary facility, or facility of a private nonprofit corporation or association that—

"(A) is licensed or regulated by the State (or, if there is no State law providing for such licensing or regulation by the State, by the municipality or other political subdivision in which the facility is located) for chemical dependency treatment; or

"(B) has deemed status in the State pursuant to accreditation by the Joint Commission, the Commission on the Accreditation of Rehabilitation Facilities, or the Council on Accreditation."; and

(2) in subsection (d)—

(A) by striking ", or intermediate care facility" and inserting ", intermediate care facility, inpatient psychiatric treatment facility, or chemical dependence treatment facility";

(B) by striking "assisted living facility, or intermediate care facility" and inserting "assisted living facility, intermediate care facility, inpatient psychiatric treatment facility, or chemical dependence treatment facility"; and

(C) by striking "assisted living facility, and intermediate care facility" and inserting "assisted living facility, intermediate care facility, inpatient psychiatric treatment facility, and chemical dependence treatment facility''.

(b) ESTABLISHMENT OF THE OFFICE OF PSYCHIATRIC AND ADDICTION TREATMENT FACILITIES.—Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. 3533) is amended by adding at the end the following:

''(i) OFFICE OF PSYCHIATRIC AND ADDICTION TREATMENT FACILITIES.—

''(1) ESTABLISHMENT.—There is established within the Federal Housing Administration the Office of Psychiatric and Addiction Treatment Facilities (referred to in this subsection as the 'Office').

''(2) ASSISTANT DIRECTOR.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall appoint an Assistant Director, who shall—

''(A) carry out the functions described in paragraph (3); and

''(B) report directly to the Deputy Assistant Secretary for Healthcare Programs.

''(3) FUNCTIONS.—The Office shall oversee mortgage insurance that is authorized under section 232 of the National Housing Act (12 U.S.C. 1715w) to be provided to an inpatient psychiatric treatment facility or a chemical dependence treatment facility (as such terms are defined in subsection (b) of such section).''.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Federal Housing Commissioner such sums as are necessary to carry out this section, including any costs related to—

(A) hiring staff and temporary consultants;

(B) developing policies, procedures, and underwriting models; and

(C) updating information management systems.

(2) LIMITATION.—In each fiscal year, the sum of any amounts appropriated pursuant to paragraph (1) and any amounts appropriated pursuant to section 519 of the National Housing Act (12 U.S.C. 1735c) with respect to the mortgage insurance programs described in section 232 of the National Housing Act (12 U.S.C. 1715w) and section 242 of the National Housing Act (12 U.S.C. 1715z–7) shall not exceed the amount that is the total amount generated through the collection of premiums associated with such programs.

(3) RULE OF CONSTRUCTION.—If the amount that is the total amount generated through the collection of premiums associated with the mortgage insurance programs described in section 232 of the National Housing Act (12 U.S.C. 1715w) is less than the amount equal to the net present value of claims, nothing in this section may be construed to waive or eliminate the limitation described in paragraph (2).

SEC. 3. DISASTER PREPAREDNESS AND EFFICIENCY LOANS.

Section 241 of the National Housing Act (12 U.S.C. 1715z–6) is amended—

(1) in subsection (d)—

(A) by striking "or other health facility" and inserting "or other health facility, including housing for employees or trainees of healthcare facilities insured under this title"; and

(B) by inserting ", including floods, hurricanes, earthquakes, and other natural disasters" after "fire or other hazards"; and

(2) in subsection (e)(1), by inserting "or a group practice, medical practice facility, hospital, or other health care facility project approved by the

Secretary under section 232 or section 242,'' after ''in a multifamily housing project''.

SEC. 4. RULEMAKING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall establish a negotiated rulemaking committee as provided for under section 561 of title 5, United States Code, to establish the procedures for implementation of this Act and the amendments made by this Act.

SEC. 5. REPORTING REQUIREMENT.

(a) IN GENERAL.—Not later than 120 days after the end of the first fiscal year ending after the date of the enactment of this Act (and alternating fiscal years thereafter), the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') shall submit to the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs a report in accordance with subsection (b).

(b) REPORT CONTENTS.—The report required pursuant to subsection (a) shall include information on the operation of the mortgage insurance programs described in section 232 of the National Housing Act (12 U.S.C. 1715w) and section 242 of the National Housing Act (12 U.S.C. 1715z–7) for the 180-day period preceding the submission of such report, including the following information with respect to each such program:

(1) The number of applications submitted to the program.

(2) The volume and value of loans issued under the program.

(3) The number and causes of defaults under the program.

(4) The number of claims filed with respect to the program.

(5) The total premiums collected each year.

(6) The financial status of the program, including the credit subsidy level of the program during the period covered by the report, as determined by the Congressional Budget Office.

(c) PUBLIC INSPECTION.—Not later than 30 days after the date on which a report is submitted pursuant to subsection (a), the Secretary shall make such report publicly available on the website of the Department of Housing and Urban Development.

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