

117TH CONGRESS
2D SESSION

H. R. 8677

To direct the Secretary of Health and Human Services, in coordination with State health departments, to establish a grant program to award grants to nursing facilities to replace traditional nursing facilities with small-house nursing facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 2022

Ms. SCHAKOWSKY introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To direct the Secretary of Health and Human Services, in coordination with State health departments, to establish a grant program to award grants to nursing facilities to replace traditional nursing facilities with small-house nursing facilities, and for other purposes.

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 “Infrastructure Mod-
5 ernization Project Related to the OVerall Enhancement of
6 Nursing Homes Act” or the “IMPROVE Nursing Homes
7 Act”.

1 **SEC. 2. GRANTS TO DEVELOP SMALL-HOUSE NURSING FA-**
2 **CILITIES.**

3 (a) ESTABLISHMENT.—For the purpose described in
4 subsection (b), the Secretary of Health and Human Serv-
5 ices (in this section referred to as the “Secretary”), acting
6 through the Administrator of the Centers for Medicare &
7 Medicaid Services, and in coordination with State health
8 departments, shall establish a grant program to award
9 grants to nursing facilities to convert traditional nursing
10 facilities to small-house nursing facilities.

11 (b) PURPOSE.—The purpose of the grant program
12 under subsection (a) shall be to replace beds used for long-
13 term care in nursing facilities with beds used for long-
14 term care in small-house nursing facilities, including by—

15 (1) increasing the total number of such beds
16 available in small-house nursing facilities as of the
17 date of enactment of this Act by 250,000 by Janu-
18 ary 1, 2028; and

19 (2) with respect to each State in which a nurs-
20 ing facility that receives a grant under this Act is
21 located, increasing the number of—

22 (A) small-house nursing facilities in oper-
23 ation in the State by not fewer than five sites;
24 and

25 (B) beds available at such nursing facilities
26 in the State by not fewer than 250.

1 (c) USE OF FUNDS.—A nursing facility receiving a
2 grant under this section shall use the grant—

3 (1) exclusively for converting traditional nurs-
4 ing facilities to small-house nursing facilities; and

5 (2) not for operation of the converted facilities.

6 (d) REQUIREMENTS.—As a condition on receipt of a
7 grant under this section, a nursing facility shall agree to
8 each of the following:

9 (1) CONSULTATION IN PLANNING AND DESIGN
10 PROCESS.—The nursing facility will consult with
11 residents, families, a long-term care ombudsman, di-
12 rect care nursing home workers, and a certified med-
13 ical director from the American Board of Post-Acute
14 and Long-Term Care Medicine as part of—

15 (A) the planning and design process for
16 converting traditional nursing facilities to small-
17 house nursing facilities pursuant to the grant;
18 and

19 (B) obtaining any necessary regulatory ap-
20 provals for such facilities.

21 (2) PERSON-CENTERED CARE.—

22 (A) IN GENERAL.—Sites that receive fund-
23 ing shall agree to demonstrate person-centered
24 care upon completion of construction. Person-
25 centered care should be measured prior to start-

1 ing construction, 3 months following move-in at
2 the new small-house nursing facilities, and an-
3 nually thereafter for 5 years.

4 (B) MEASUREMENT.—The measurement
5 described in subparagraph (A) shall be done
6 through a partnership established between each
7 site awarded the funding, a quality improve-
8 ment organization, the Department of Health
9 and Human Services Office of the Inspector
10 General, and the Department of Housing and
11 Urban Development. The quality improvement
12 organization may be a Quality Innovation Net-
13 work/Quality Improvement Organization (QIN/
14 QIO). Quality improvement organizations
15 should provide technical assistance for nursing
16 home sites and advise sites in their continuous
17 quality improvement efforts.

18 (C) PRACTICES.—Person-centered care
19 shall be measured via at least the following
20 practices: food and drink are available 24/7;
21 residents are able to choose when to go to bed
22 and when to wake up; residents are able to eas-
23 ily and regularly access outdoor spaces; resi-
24 dents have opportunities to engage in activities
25 promoting relationship building that include dif-

1 ferent ages and abilities; person-centered care
2 training is required as part of on-boarding for
3 new staff and is required as part of continuing
4 education for all staff; residents have opportuni-
5 ties for spontaneous and meaningful enjoyment
6 of simple daily pleasures; there is consistent as-
7 signment of staff to residents; and staff learn
8 about residents' interests, memberships, and re-
9 lationships, and provide opportunities to con-
10 tinue these.

11 (D) ELIGIBILITY.—If person-centered care
12 improvement is not demonstrated within 2
13 years upon completion of construction, nursing
14 facilities that received project funding will not
15 be eligible for the next round of these Federal
16 grant funds. If person-centered quality falls
17 more than 10 percent from year 2 to year 5,
18 nursing facilities that received project funding
19 will not be eligible for the next round of these
20 Federal grant funds.

21 (3) MINIMUM OF 20 YEARS OF OPERATION.—
22 The nursing facility will provide for operation of the
23 small-house nursing facilities funded pursuant to the
24 grant for a period of not less than 20 years.

25 (e) PRIORITY.—

1 (1) IN GENERAL.—In carrying out subsection
2 (a), the Secretary shall give priority to a nursing fa-
3 cility based on a demonstration of financial need.

4 (2) CONSIDERATIONS.—In assessing the finan-
5 cial need of a nursing facility or purposes of para-
6 graph (1), the Secretary shall consider—

7 (A) the ability of the parent company of
8 the nursing facility to provide resources for con-
9 verting traditional nursing facilities to small-
10 house nursing facilities;

11 (B) the percentage of such facility's resi-
12 dents who are receiving medical assistance
13 under title XIX of the Social Security Act (42
14 U.S.C. 1396 et seq.) for care provided at such
15 facility; and

16 (C) the track record of the nursing facility
17 and its parent company in providing high-qual-
18 ity care.

19 (f) APPLICATION.—To seek a grant under this sec-
20 tion, a nursing facility shall submit to the Secretary an
21 application at such time, in such manner, and containing
22 such information as the Secretary may require, including
23 funding available for construction.

24 (g) REPORTS.—

1 (1) GRANT RECIPIENT REPORT.—As a condi-
2 tion on receipt of a grant under this section, a nurs-
3 ing facility shall agree to submit to the Secretary an
4 annual report on the activities conducted through
5 the grant, including—

6 (A) a breakdown of how and when the
7 grant funds were used; and

8 (B) with respect to each resident at such
9 facility, any difference in—

10 (i) quality of care; and

11 (ii) quality of life.

12 (2) GAO REPORT.—Not later than June 1,
13 2028, the Comptroller General of the United States
14 shall submit to Congress a report on the grant pro-
15 gram under this section, including—

16 (A) a summary of the reports under para-
17 graph (1); and

18 (B) a summary comparing the quality of
19 care and quality of life among residents who are
20 in a small-house nursing facility to residents in
21 traditional nursing facilities.

22 (h) DAVIS-BACON COMPLIANCE.—

23 (1) IN GENERAL.—All laborers and mechanics
24 employed by contractors or subcontractors to per-
25 form construction, alteration, or repair on projects

1 funded in whole or in part by this Act shall be paid
2 wages at rates not less than those prevailing on
3 projects of a character similar in the locality as de-
4 termined by the Secretary of Labor in accordance
5 with subchapter IV of chapter 31 of title 40, United
6 States Code (commonly referred to as the “Davis-
7 Bacon Act”).

8 (2) AUTHORITY.—With respect to the labor
9 standards specified in paragraph (1), the Secretary
10 of Labor shall have the authority and functions set
11 forth in Reorganization Plan Numbered 14 of 1950
12 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of
13 title 40, United States Code.

14 (i) DEFINITIONS.—In this Act:

15 (1) SMALL-HOUSE NURSING FACILITY.—The
16 term “small-house nursing facility” means a nursing
17 facility that includes the following:

18 (A) Provides each resident—

19 (i) a single-occupancy room with a
20 private bathroom; or

21 (ii) at the request of the resident, a
22 room with a private bathroom to be shared
23 with the resident’s spouse, partner, or pre-
24 ferred roommate.

25 (B) Serves not more than 12 residents—

1 (i) in a separate building for a nurs-
2 ing facility located in a rural area; or

3 (ii) in a separate building, a separate
4 floor, or a separate wing for a nursing fa-
5 cility located in an urban area.

6 (C) Uses appropriately skilled staff to pro-
7 vide all personal care for residents, including
8 cooking, light housekeeping, and laundry serv-
9 ice.

10 (D) Assigns each nursing assistant for
11 each work shift to not more than one nursing
12 facility segment described in clauses (i) and (ii)
13 of subparagraph (B).

14 (E) Provides resident-centered care that
15 allows maximum level of resident independence.

16 (2) NURSING FACILITY.—The term “nursing
17 facility” has the meaning given such term under sec-
18 tion 1919 of the Social Security Act (42 U.S.C.
19 1396r).

20 (3) RURAL AREA.—The term “rural area”
21 means an area other than an urban area or an area
22 contiguous and adjacent to an urban area.

23 (4) URBAN AREA.—The term “urban area”
24 means a town or city that has a population of great-
25 er than 50,000 residents, according to the Census

1 Bureau's most recent annual estimates of resident
2 population.

3 (j) APPROPRIATIONS.—

4 (1) IN GENERAL.—To carry out this Act, there
5 is authorized to be appropriated \$30,000,000,000
6 for the period of fiscal years 2024 through 2027.

7 (2) MINIMUM AMOUNTS.—Of the amounts
8 available under paragraph (1), the Secretary shall
9 award—

10 (A) not less than 30 percent to urban
11 nursing facilities;

12 (B) not less than 10 percent to rural nurs-
13 ing facilities; and

14 (C) not less than 50 percent to nursing fa-
15 cilities that have 85 percent or more residents
16 who receive benefits under the Medicaid pro-
17 gram under title XIX of the Social Security Act
18 (42 U.S.C. 1396 et seq.).

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