

117TH CONGRESS  
2D SESSION

# H. R. 9166

To establish requirements for skilled nursing facilities, nursing facilities, and assisted living facilities to manage the outbreak of COVID–19, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2022

Mr. GOTTHEIMER (for himself, Mr. FITZPATRICK, and Ms. SHERRILL) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To establish requirements for skilled nursing facilities, nursing facilities, and assisted living facilities to manage the outbreak of COVID–19, 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 “Nursing Home Pan-  
5       demic Protection Act”.

1 **SEC. 2. REQUIREMENTS FOR SKILLED NURSING FACILI-**  
2 **TIES, NURSING FACILITIES, AND ASSISTED**  
3 **LIVING FACILITIES TO MANAGE THE OUT-**  
4 **BREAK OF COVID-19.**

5 (a) CRISIS PLAN FOR SUCH FACILITIES.—The Sec-  
6 retary of Health and Human Services shall ensure that  
7 skilled nursing facilities, nursing facilities, and assisted  
8 living facilities establish, not later than 60 days after the  
9 date of the enactment of this Act, establish a crisis plan  
10 to manage the outbreak of COVID-19 and other public  
11 health emergencies within such facilities. Such plan shall  
12 outline procedures relating to infection control, staffing,  
13 personal protective equipment, outside medical providers  
14 and hospitalizations, and communication with family  
15 members.

16 (b) PPE REQUIREMENTS FOR SUCH FACILITIES.—

17 (1) IN GENERAL.—The Secretary of Health and  
18 Human Services shall ensure that skilled nursing fa-  
19 cilities, nursing facilities, and assisted living facilities  
20 establish, not later than 120 days after the date of  
21 the enactment of this Act, maintain access to a min-  
22 imum amount of personal protective equipment de-  
23 scribed in paragraph (2) to manage the outbreak of  
24 COVID-19 and other public health emergencies  
25 within such facilities.

1           (2) MINIMUM AMOUNT OF PPE DESCRIBED.—

2           For purposes of paragraph (1), a minimum amount  
3           of personal protective equipment described in this  
4           paragraph is the amount of such equipment for use  
5           by the staff and residents of such facilities for a 30-  
6           day period.

7           (c) DEFINITIONS.—In this Act:

8           (1) NURSING FACILITY.—The term “nursing  
9           facility” has the meaning given such term in section  
10          1919(a) of the Social Security Act (42 U.S.C.  
11          1396r(a)).

12          (2) SKILLED NURSING FACILITY.—The term  
13          “skilled nursing facility” has the meaning given such  
14          term in section 1819(a) of the Social Security Act  
15          (42 U.S.C. 1395i–3(a)).

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