

106TH CONGRESS
2D SESSION

H. R. 4898

To amend titles XVIII and XIX of the Social Security Act to require nursing facilities to be air conditioned to receive Medicare or Medicaid funding.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2000

Mr. LANTOS introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles XVIII and XIX of the Social Security Act to require nursing facilities to be air conditioned to receive Medicare or Medicaid funding.

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. REQUIRING AIR CONDITIONING FOR NURSING**
4 **FACILITIES TO RECEIVE MEDICARE OR MED-**
5 **ICAID FUNDING.**

6 (a) REQUIREMENT FOR MEDICARE SKILLED NURS-
7 ING FACILITIES.—Section 1819(d)(3) of the Social Secu-
8 rity Act (42 U.S.C. 1395i–3(d)(3)) is amended—

1 (1) by striking “, and” at the end of subpara-
2 graph (A) and inserting a semicolon;

3 (2) by striking the period at the end of sub-
4 paragraph (B) and inserting “; and”; and

5 (3) by adding at the end the following new sub-
6 paragraph:

7 “(C) provide air conditioning or other ven-
8 tilation as may be required to maintain air tem-
9 peratures within those parts of the facility in
10 which residents reside, congregate, or conduct
11 activities, within a range conducive to maintain-
12 ing the quality of life of residents of the facil-
13 ity.”.

14 (b) REQUIREMENT FOR MEDICAID NURSING FACILI-
15 TIES.—Section 1919(d)(3) of such Act (42 U.S.C.
16 1396r(d)(3)) is amended—

17 (1) by striking “, and” at the end of subpara-
18 graph (A) and inserting a semicolon;

19 (2) by striking the period at the end of sub-
20 paragraph (B) and inserting “; and”; and

21 (3) by adding at the end the following new sub-
22 paragraph:

23 “(C) provide air conditioning or other ven-
24 tilation as may be required to maintain air tem-
25 peratures within those parts of the facility in

1 which residents reside, congregate, or conduct
2 activities, within a range conducive to maintain-
3 ing the quality of life of residents of the facil-
4 ity.”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section apply to items and services furnished on or
7 after one year after the date of the enactment of this Act.
8 The Secretary of Health and Human Services may extend
9 such date in specific exceptional cases of hardship for par-
10 ticular skilled nursing facilities or nursing facilities as the
11 Secretary determines to be appropriate.

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