



**AMENDMENT TO H.R. 5**  
**OFFERED BY M J. SÁNCHEZ**

Page 15, insert after line 18 the following and redesignate succeeding sections accordingly:

1 **SEC. 9. EXEMPTION FROM DAMAGE LIMITATIONS FOR**  
2 **NURSING HOMES.**

3 (a) **IN GENERAL.**—Section 4(b) and section 7(b)(2)  
4 shall not apply to health care lawsuits against long-term  
5 care facilities.

6 (b) **DEFINITION.**—For purposes of this section, the  
7 term “long-term care facility” means—

8 (1) any skilled nursing facility as defined in  
9 1819(a) of the Social Security Act;

10 (2) any nursing facility as defined in 1919(a) of  
11 the Social Security Act; or

12 (3) a public facility, proprietary facility, or fa-  
13 cility of a private nonprofit corporation that—

14 (A) makes available to adult residents sup-  
15 portive services to assist the residents in car-  
16 rying out activities such as bathing, dressing,  
17 eating; getting in and out of bed or chairs,  
18 walking, going outdoors, using the toilet, or ob-  
19 taining or taking medication; and

1 (B) provides a dwelling place (which may  
2 contain a full kitchen and bathroom) for resi-  
3 dents in order to deliver supportive services de-  
4 scribed in subparagraph (A), that includes com-  
5 mon rooms and other facilities appropriate for  
6 the provision of such services to residents of the  
7 facility;  
8 but excludes a facility, or portion of a facility, that either  
9 does not provide the services described in subparagraph  
10 (A) or has as its primary purpose to educate or to treat  
11 substance abuse problems.

