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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To reduce the spread of COVID–19 through payments to States to lease hotels to temporarily house, on a voluntary basis, eligible individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GONZALEZ of Ohio introduced the following bill; which was referred to the Committee on _____

A BILL

To reduce the spread of COVID–19 through payments to States to lease hotels to temporarily house, on a voluntary basis, eligible individuals, 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 “Isolate COVID–19 Act
5 of 2020”.

1 **SEC. 2. REDUCING THE SPREAD OF COVID-19 THROUGH**
2 **PAYMENTS TO STATES TO LEASE HOTELS TO**
3 **TEMPORARILY HOUSE ELIGIBLE INDIVID-**
4 **UALS.**

5 (a) IN GENERAL.—The Secretary of Health and
6 Human Services may make payments to States to lease
7 hotels to temporarily house, on a voluntary basis, eligible
8 individuals.

9 (b) FORMULA.—The Secretary shall allocate the
10 amount appropriated to carry out this section pursuant
11 to a formula developed by the Secretary that—

12 (1) distributes the amount among the States
13 that—

14 (A) submit applications in accordance with
15 subsection (c); and

16 (B) are determined by the Secretary to
17 need such payments; and

18 (2) takes into consideration—

19 (A) the number of active cases of individ-
20 uals infected with COVID-19 in the applying
21 State relative to the overall population of the
22 State; and

23 (B) the average income of individuals in
24 the applying State relative to the average in-
25 come of individuals in the United States.

26 (c) APPLICATIONS.—

1 (1) IN GENERAL.—To seek a payment under
2 this section, a State shall submit an application to
3 the Secretary at such time, in such manner, and
4 containing such information and assurances as the
5 Secretary may require.

6 (2) PROCESS.—The Secretary shall—

7 (A) not later than 15 days after the date
8 of enactment of this Act, publish the process
9 for States to apply for payments under this sec-
10 tion; and

11 (B) not later than 15 days after the sub-
12 mission of an application in accordance with
13 such process, approve or disapprove the applica-
14 tion.

15 (3) CONTENTS.—The Secretary shall require
16 the application of a State under this section to in-
17 clude—

18 (A) a plan for leasing hotels as described
19 in subsection (a);

20 (B) health guidelines which the State will
21 require to be implemented to protect the staff
22 of the hotels;

23 (C) the rates to be paid to lease the hotels;

24 (D) a plan to ensure that the hotels each
25 have—

1 (i) workplace safety standards for
2 their staff;

3 (ii) proper personal protective equip-
4 ment and sanitation supplies;

5 (iii) a cleaning protocol for rooms and
6 facilities; and

7 (iv) at least one qualified health care
8 professional onsite or on call to monitor
9 the health of individuals being housed at
10 the hotels;

11 (E) a plan to feed and provide other nec-
12 essary materials to individuals described in sub-
13 section (a) at the hotels, including medications
14 and hygiene products, without letting such indi-
15 viduals leave their rooms or accept visitors;

16 (F) a plan to assist the hotels in removing
17 individuals who attempt to continue their stay
18 after the allotted time;

19 (G) a plan for hospital networks, local
20 health departments, and the hotels to coordi-
21 nate on the exchange and protection of patient
22 information in accordance with other applicable
23 law;

24 (H) a plan to effectively communicate the
25 State's program funded through this section to

1 racial and ethnic minority groups and low-in-
2 come communities; and

3 (I) each funding assurance listed in sub-
4 section (e).

5 (d) NO RESPONSIBILITY FOR DIET OR ADMINISTRA-
6 TION OF MEDICINE.—Notwithstanding subsection
7 (c)(3)(E), a contract between a State and a hotel pursuant
8 to this section shall not make the hotel responsible for the
9 diet of, or the administration of medications to, individuals
10 described in subsection (a).

11 (e) FUNDING ASSURANCES.—As a condition on re-
12 ceipt of a payment of this section, a State shall give such
13 assurances as the Secretary may require that—

14 (1) each contract between the State and a hotel
15 pursuant to this section will be entered into on a vol-
16 untary basis, and no hotel will be required by the
17 State to participate in the program under this sec-
18 tion;

19 (2) individuals described in subsection (a) will
20 not be charged for their lodging at a hotel pursuant
21 to this section, except that such individuals may be
22 required to reimburse the costs of receiving food and
23 beverages;

24 (3) individuals described in subsection (a) will
25 retain the option of self-isolating at home (including

1 the option of checking out early and returning to
2 their homes) rather than being required to stay at
3 a hotel funded pursuant to this section;

4 (4) before an individual is allowed to stay at a
5 hotel pursuant to this section, the individual will be
6 required to present, in such form and manner as
7 may be required by the local department of health,
8 documentation from a physician that the individual
9 meets the criteria described in subsection (a);

10 (5) any non-transient homeless population re-
11 siding at a hotel will not be displaced for purposes
12 of entering into or carrying out a contract between
13 the State and the hotel under this section; and

14 (6) the State will pay (from funds provided to
15 the State under this section or from other State
16 funds)—

17 (A) at least 40 percent of the costs of the
18 personal protective equipment and sanitation
19 supplies needed by individuals staying at a hotel
20 pursuant to this section and the staff of such
21 hotel; and

22 (B) all of the costs of having one or more
23 qualified health care professionals described in
24 subsection (c)(3)(D)(iii) for the provision of

1 monitoring described in such subsection (wheth-
2 er by being onsite or on call).

3 (f) REVIEW.—At the conclusion of the program under
4 this section, the Inspector General of the Department of
5 Health and Human Services shall—

6 (1) review the program and activities of each
7 State funded pursuant to this section; and

8 (2) submit a report on the results of the review
9 to—

10 (A) the Committee on Energy and Com-
11 merce and the Committee on Ways and Means
12 of the House of Representatives; and

13 (B) the Committee on Finance and the
14 Committee on Health, Education, Labor and
15 Pensions of the Senate.

16 (g) LIABILITY PROTECTION.—

17 (1) IN GENERAL.—Except as provided under
18 paragraph (2), a hotel or member of the staff shall
19 not be liable under Federal or State law for—

20 (A) any harm caused by an act or omission
21 in the provision of hotel services pursuant to
22 this section; or

23 (B) failing to keep an individual who is
24 staying at a hotel pursuant to this section iso-
25 lated from people other than the staff of the

1 hotel and any qualified health care professional
2 described in subsection (c)(3)(D)(iii).

3 (2) EXCEPTION.—Paragraph (1) does not apply
4 in the case that the harm was caused by an act or
5 omission constituting willful or criminal misconduct,
6 gross negligence, reckless misconduct, or a conscious
7 flagrant indifference to the rights or safety of the in-
8 dividual harmed.

9 (h) DEFINITIONS.—In this section:

10 (1) The term “eligible individual” means an in-
11 dividual who is unable to self-isolate at home, does
12 not require inpatient or outpatient health care treat-
13 ment, and—

14 (A) has a laboratory-confirmed case of
15 COVID-19;

16 (B) has a presumptive positive case of
17 COVID-19; or

18 (C) is a person under investigation who is
19 displaying symptoms of COVID-19.

20 (2) The terms “Indian tribe” and “tribal orga-
21 nization” have the meanings given to those terms in
22 section 4 of the Indian Self-Determination and Edu-
23 cation Assistance Act (25 U.S.C. 5304).

24 (3) The term “Secretary” means the Secretary
25 of Health and Human Services.

1 (4) The term “State” includes each of 50
2 States, the District of Columbia, each Indian Tribe
3 and tribal organization, Guam, American Samoa, the
4 United States Virgin Islands, the Commonwealth of
5 Puerto Rico, and the Commonwealth of the North-
6 ern Mariana Islands.

7 (i) FUNDING.—To carry out this section, there is au-
8 thorized to be appropriated \$1,000,000,000, to remain
9 available through the earlier of—

10 (1) the end of calendar year 2021; or

11 (2) the end of the emergency period (as defined
12 in section 1135(g)(1)(B) of the Social Security Act
13 (42 U.S.C. 1320b–5(g)(1)(B)).