

## Stimulus I- Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020

The Coronavirus Preparedness and Response Supplemental Appropriations act is summarized [here](#) by the House Appropriations Committee. Key highlights

### *Small Business Administration, Disaster Loans Program Account*

The Act provides appropriations to the Small Business Administration for the Disaster Loans Program Account. The SBA's Economic Injury Disaster Loan program provides small businesses with working capital loans of up to \$2 million that can provide vital economic support to small businesses to help overcome the temporary loss of revenue they are experiencing. Resources pertaining to the Coronavirus can be found [here](#). Small businesses can apply for relief [online](#).

### ***Medicare Beneficiaries Expanded Telehealth Benefits During COVID-19 Outbreak***

Under the Coronavirus Preparedness and Response Supplemental Appropriations Act and Section 1135 waiver authority, the Centers for Medicare & Medicaid Services (CMS) broadened access to Medicare telehealth services, so beneficiaries can get a wider range of services from their doctors and other clinicians without traveling to a health care facility.

Under this Section 1135 waiver expansion, a range of providers, such as doctors, nurse practitioners, clinical psychologists, and licensed clinical social workers, can offer a specific set of telehealth services. The specific set of services beneficiaries can get include evaluation and management visits (common office visits), mental health counseling, and preventive health screenings. Beneficiaries can get telehealth services in any health care facility including a physician's office, hospital, nursing home or rural health clinic, as well as from their homes. Please see the [Fact Sheet](#) and [FAQ](#) for more details.

## Stimulus II - Families First Act (H.R. 6201)

The Families First Coronavirus Response Act, the bill is summarized below in detail and [here](#) by the House Appropriations Committee. Here are a few highlights

### *Food Security Provisions*

The bill includes several provisions to enhance food security during the epidemic.

- Child Nutrition
  - Provides USDA Secretary authority to issue nationwide school meals waivers, eliminating paperwork for states and help schools adopt and implement more quickly
  - Allows all child and adult care centers to operate as non-congregate
  - Waives all meal pattern requirements if there is a disruption to the food supply

- Allows states to use SNAP money to give extra to families to school age children who qualify for free or reduced-priced meals (benefits equal to the value of school meals)
- \$500 million extra for WIC
- Allows WIC to certify participants without being physically present at WIC clinics
- Waives stocking requirements for WIC
- SNAP
  - Suspends work and work training requirements
  - Allows states to request waivers to provide emergency benefits to existing SNAP beneficiaries up to the maximum monthly allotment
  - Gives Secretary discretion to give states more flexibility in managing SNAP caseloads
  - Requires state waiver requests and USDA response to be publicly available online
- Miscellaneous
  - Provides \$400 million for TEFAP (\$300 for food/\$100 for storage)
  - Provides \$100 million food security assistance for territories
  - Provides \$250 million Senior Nutrition program in the Administration for Community Living (ACL)

#### *Employer Provided Paid Sick Leave*

The benefit would be provided to employees of private businesses with fewer than 500 employees and employees of public entities for the purpose of illness or quarantine related to COVID-19, or for the care of someone who is quarantined or ill because of COVID-19. Employers may exempt health care providers or emergency responders from this benefit. Full-time employees can receive up to 80 hours, with part-time employees receiving up to the number of hours they would normally work over a 2-week period. It's important to note the paid sick leave benefit would only be in effect through the end of 2020. Limits exist on daily and aggregate paid sick leave amounts provided to employees.

Also worth noting that the U.S. Secretary of Labor would be empowered to grant hardship exemptions for certain businesses with fewer than 50 employees, and to exclude certain health care providers and emergency responders from the benefit.

Employers will be reimbursed through a payroll tax credit, which applies to for-profit and nonprofit employers equal to 100% of the qualified sick leave wages paid.

#### *Expansion of the Family and Medical Leave Act (FMLA)*

The bill extends paid leave—connected to a public health emergency related to COVID-19—to employees at organizations with fewer than 500 total employees to care for a child if childcare is unavailable. Employees would have to be employed for at least 30 days by their employer.

As with paid sick leave, the U.S. Secretary of Labor would be empowered to grant hardship exemptions for certain businesses with fewer than 50 employees and to exclude certain health care providers and emergency responders.

Employers will be reimbursed through a payroll tax credit, which applies to for-profit and nonprofit employers equal to 100% of the qualified family leave wages paid.

#### *Emergency Unemployment Insurance Stabilization for States*

The bill provides federal support to states to underwrite unemployment benefits in states where unemployment enrollment spikes. Specifically, it includes \$1 billion in 2020 for emergency grants to states for activities related to processing and paying unemployment insurance (UI) benefits, under certain conditions. States become eligible for the emergency grants when the number of unemployment compensation claims has increase by at least 10 percent over the same quarter in the previous calendar year

#### *Coronavirus Testing*

The bill requires all health insurers to make testing (not treatment) free. Specifically, the bill:

- Requires CMS to designate a modifier code to identify claims where cost sharing should not be charged to the patient.
- Provides \$1 billion to the National Disaster Medical System to reimburse providers for the costs of testing for uninsured individuals.

#### *Temporary Increase of Medicaid FMAP*

The bill provides increased federal support for Medicaid spending to ease financial strain on state budgets during the pandemic in the form of a 6.2% emergency FMAP increase to states.

## Stimulus III, The Care Act

The 880 page text can be found [here](#), and a comprehensive section by section summary is attached.

As enacted, the package includes:

- \$500 billion in loans to distressed industries
- \$330 billion in new funding for federal agencies to address coronavirus
- \$367 billion in job retention loans to small businesses
- \$150 billion coronavirus relief fund for state, local, and tribal governments
- \$100 billion in funding for hospitals
- \$15.5 billion for SNAP
- \$8.8 billion for child nutrition
- \$9.5 billion for emergency aid to farmers
- \$3 billion for affordable housing and homelessness assistance programs

- 2020 Recover Rebates: \$1200 Payments to individuals / \$2400 for married couples / \$500 per child
  - Charitable giving incentives, and nonprofit eligibility for no and low interest loans
  - Interest free deferred student loan repayments
  - Expanded unemployment insurance eligibility & additional emergency unemployment benefits
  - An extension of community health center funding through November 2020
  - Expanded telehealth reimbursement for Medicare beneficiaries
- If you're interested in seeing how much money each state will receive from the \$150 billion dollar coronavirus relief fund established by the CARES Act, check out this [fact sheet](#) from the Center on Budget and Policy Priorities.

## Nutrition, SNAP, WIC, and USDA

The USDA's Food and Nutrition Service (FNS) launched a new webpage – [www.fns.usda.gov/coronavirus](http://www.fns.usda.gov/coronavirus) – to provide key information on COVID-19 nutrition assistance for program operators and the public.

Education and Labor Committee has developed an extremely helpful FAQ's of the Families First Corona Virus Response Act's child nutrition provisions—[available here!](#)

The United States Department of Agriculture (USDA) has created a helpful [waiver tracking page](#). If you click on a state, you can see what waivers the state has requested for child nutrition programs (school meals/summer), SNAP, WIC, and USDA foods, as well as USDA's response to the waiver.

USDA posted guidance on Pandemic EBT; meal delivery; and nationwide waivers on meal times, after school activities and non-congregate feeding. They also posted SNAP guidance on time limits and emergency allotments. <https://www.fns.usda.gov/disaster/pandemic/covid-19>.

## Medicaid & Health Benefits

The Centers for Medicare & Medicaid Services (CMS) [announced](#) it is granting exceptions from reporting requirements and extensions for clinicians and providers participating in Medicare quality reporting programs with respect to upcoming measure reporting and data submission for those programs.

CMS [released guidance](#) regarding the increased FMAP available to states as part of the Families First Coronavirus Response Act. As a reminder, Section 6008 of the act provides a temporary 6.2 percentage point increase to each qualifying state and territory's Federal Medical Assistance Percentage (FMAP). One noteworthy item is that for states

to qualify for the FMAP increase, states cannot end coverage for anyone who is eligible as of March 18 or those who become eligible after that date until end of public health emergency, unless the individual voluntarily terminates enrollment or is no longer a resident of the state.

CMS [released](#) four Medicaid waiver templates designed to help state Medicaid and Children's Health Insurance Programs (CHIP) during the 2019 Novel Coronavirus (COVID-19) outbreak. The Medicaid waiver templates are intended to make application processes faster and decrease administrative burden as states struggle to contain the coronavirus. The materials released include checklists for the 1115 Medicaid Demonstration waiver, the 1135 waiver, a template for the 1915(c) Appendix K regarding home and community-based services, and the Medicaid Disaster State Plan Amendment.

\*\*\* [Alabama Approved CMS approved Medicaid section 1135 waivers for 7 additional states](#) in response to COVID-19. This brings the total number of approved Section 1135 waivers for states to 23. The waivers were approved within days of states' submitting them, and offer states new flexibilities to focus their resources on combatting the outbreak and providing the best possible care to Medicaid beneficiaries in their states.

CMS has withdrawn its [proposed rule](#) to crackdown on state Medicaid eligibility determinations from the Office of Management and Budget's regulatory review process. "This proposed rule would have strengthened the integrity of the Medicaid eligibility determination process including verification, changes in circumstance, and redetermination," the agency said in its description of the rule. The proposed rule was supposed to be published in April. Healthcare experts and advocates have worried that tightening eligibility rules would make it tougher for eligible people to enroll in the program and maintain coverage, even if it reduced improper Medicaid enrollment and federal payments to states.

[CMS issued Frequently Asked Questions \(FAQs\)](#) to clarify coverage for the diagnosis and treatment of the Coronavirus Disease 2019 (COVID-19) by catastrophic health plans. A catastrophic health plan generally may not provide coverage of an [essential health benefit](#) before an enrollee meets the plan's deductible. Through this FAQ, CMS is announcing that the agency will not take enforcement action against any health issuer that amends its catastrophic plans to provide coverage without imposing cost-sharing requirements for COVID-19 related services before an enrollee meets the catastrophic plan's deductible.

On Tuesday, March 24, CMS posted [guidance](#) on Payment and Grace Period Flexibilities for Issuers Offering Coverage on the Federally-facilitated Exchanges and State-based Exchanges on the Federal Platform. Under the newly released guidance, CMS announced that it will exercise enforcement discretion to permit issuers of qualified health plans (QHPs) and stand-alone dental plans (SADPs) to extend

payment deadlines for initial binder payments, as well as ongoing premium payments during the period of the COVID-19 national emergency

## Federal Taxes

Treasury Secretary Steven Mnuchin announced that the IRS will move the Federal income tax filing deadline ahead to July 15, three months after the normal deadline for Americans to send in their returns. All taxpayers and businesses will have this additional time to file and make payments without interest or penalties. Corporate taxpayers may delay up to \$10 million in federal income tax payments. All other taxpayers (regardless of filing status) with a federal income tax liability may delay up to \$1 million in federal income tax payments. Interest, penalties and additions to tax with respect to such postponed federal income tax payments will not begin to accrue until July 16, 2020. No extension was provided for the filing of any returns or the payment or deposit of any other type of federal tax.

## Federal Housing Agency

The Federal Housing Finance Agency (FHFA) announced that Fannie Mae and Freddie Mac (collectively known as Government-Sponsored Enterprises) will [offer multifamily property owners mortgage forbearance](#) with the condition that they suspend all evictions for renters unable to pay rent due to the impact of coronavirus pandemic.

The Department of Housing and Urban Development will provide immediate relief to renters and homeowners by suspending foreclosures and evictions for mortgages insured by the Federal Housing Administration until the end of April. This move will affect about 8.1 million mortgages.

## Department of Labor

The Department of Labor [released guidance](#) today explaining the paid sick leave and expanded family medical leave under the Families First Coronavirus Response Act (aka, "Stimulus II").

## Veterans Affairs

The Department of Veterans Affairs (VA) is [preparing](#) to support the civilian healthcare system if the public health emergency worsens. The VA is authorized to assist during major emergency situations and has procedures in place to do so.

## Health and Medical Equipment

President Trump announced that he will invoke the Defense Production Act to mobilize the private sector to manufacture goods needed to fight the coronavirus pandemic. [The Defense Production Act](#) will allow the administration to force American industry to manufacture medical supplies that are in short supply in the fight against the coronavirus pandemic. Hospitals, health workers and state and local officials have said they are running out of personal protective equipment (PPE), such as masks, gowns and gloves, that are crucial to keeping doctors and nurses safe while treating patients.

The president also issued an [Executive Order](#) on *Prioritizing and Allocating Health and Medical Resources to Respond to the Spread of Covid-19*. The executive order gives the Secretary of Health and Human Services (HHS) the authority to determine the allocation of all health and medical resources, including controlling the distribution of such materials (including applicable services) in the civilian market, for responding to the COVID-19 outbreak.

Some states reopen ACA enrollment- In a move to ensure Americans receive affordable health care during the coronavirus (COVID-19) pandemic, some states are establishing special enrollment periods, allowing people to purchase health insurance under the Affordable Care Act (ACA) at [healthcare.gov](https://www.healthcare.gov). The ACA's regular enrollment period ended in December, but the District of Columbia and several states with their own health insurance exchanges have reopened enrollment, including California, Colorado, Connecticut, Maryland, Massachusetts, Minnesota, Nevada, New York, Rhode Island, Vermont and Washington.

Ventilators - The U.S. Food and Drug Administration (FDA) is trying to quickly increase the number of ventilators available to treat COVID-19 patients and issued [guidance](#) that allows manufacturers to modify devices into ventilators. They also issued [guidance](#) on how certain ventilator products can be modified to support two patients at once.

Converting Hotels to Hospitals- The U.S. Army Corps of Engineers issued a [draft request for proposals](#) for contracts that can convert hotels, convention centers and other large spaces, into temporary healthcare facilities should a need arise.