



## Overview of Coronavirus Response Legislation as of 3/18/20

While the nation's response to COVID-19 is a fluid situation, a Congressional response is beginning to take shape. We have already seen one supplemental appropriations bill signed into law, and Congress is on the verge of passage of a second bill to provide additional economic relief and assure access to testing. Talks have already begun on a third bill that would provide larger economic stimulus.

### **NHC Priorities**

The National Health Council (NHC) is working with patient advocates to urge Congress to include additional provisions that would help patients including:

- Ensuring patients have access to COVID-19 testing and treatment at no or low out-of-pocket costs.
- Expanding the number of workers eligible for paid and protected leave during the pandemic.
- Promoting health coverage through expedited Medicaid enrollment and initiate a special enrollment period for Affordable Care Act exchange coverage.
- Expanding the availability of telemedicine services to facilitate social distancing and prevent disruption of necessary, especially emergency, care.
- Modifying refill policies to allow patients to obtain needed supplies of medicines and medical products, while balancing the need to prevent shortages.

In addition, The NHC is working with other nonprofit advocates to drive solutions that will mitigate the economic impact of the crisis on nonprofit organizations. The solutions we are requesting include:

- Making tax credits and deductions applicable not just to income taxes, but to the taxes nonprofits pay, such as unrelated business income taxes and payroll taxes.
- Including nonprofits in grants offered to small businesses, particularly to account for lost revenue and expenses related to canceled meetings and other activities.
- Including patient organizations in any economic stimulus proposals aimed at helping adversely affected industries and geographic areas.
- Creating a temporary giving incentive that enables everyone, regardless of whether they itemize deductions, to receive a tax incentive for giving to the work of charitable nonprofits.

**The following is a summary of the COVID-19 response bills that have been passed or introduced as of March 18:**

### **First Bill – Ramping up Response Infrastructure**

Bill #: H.R. 6074 – The Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020

Status: Signed by the President on March 6, 2020

Provisions: \$7.76 billion to federal, state, and local agencies to combat the coronavirus and authorizes an additional \$500 million in waivers for Medicare telehealth restrictions.

### **Second Bill – Access to Testing and Relief for Individuals and Employers**

Bill #: HR 6201- The Families First Coronavirus Response Act

Status: Passed by House, and a Senate vote is expected Thursday or Friday of this week.

Provisions: H.R. 6201 contains important provisions that expand the ability of patients to get tested for COVID-19 and encourage “social distancing” that could reduce transmission. These provisions include:



- Supplemental funding for the Supplemental Nutrition Program for Women Infants and Children (SNAP), senior nutrition programs, and food banks to meet increased eligibility and demand.
- Suspension of work requirements for SNAP benefits.
- No-cost coronavirus testing for all patients, regardless of insurance type or status, including \$1 billion for testing of uninsured patients.
- Increased federal support for Medicaid spending to ease financial strain on state budgets during this crisis.
- Funding for paid time off to allow some symptomatic or exposed workers, or parents of children with school closures, to stay home through Family and Medical Leave Act (FMLA) leave.
  - Only applies to employers with fewer than 500 employees and government employers.
  - The Department of Labor can also issue exemptions for employers of fewer than 50 employees.
  - Employers are reimbursed through a payroll tax credit, which applies to for-profit and non-profit employers.
- Federal support to states to underwrite unemployment benefits in states where unemployment enrollment spikes.

#### **Proposed Third Bill – Broad Economic Stabilization**

Bill #: Not yet introduced

Status: In negotiation

Potential provisions: The President has called for \$850 billion in stimulus spending, including:

- A payroll tax cut;
- Immediate checks issued to taxpayers;
- Support for the airline industry; and
- \$250 billion in loans for small business.

Senate Democrats have proposed an additional \$750 billion of stimulus spending, including:

- \$400 billion of emergency appropriations for medical and hospital supplies, small business loans and loan forgiveness, safety net services, and infrastructure;
- \$350 billion for unemployment, Medicaid, SNAP, and student loans; and
- Policy changes related to housing, unemployment, education, and prisons.

With the House currently on recess, the timing of this next stage is still unclear.

#### **Next Steps**

As this situation continues to evolve, the NHC will continue to advocate for increasing resources and flexibilities to assist patients and front-line health care providers. We will also work to ensure that stimulus provisions geared toward for-profits also will utilize mechanisms that apply to non-profits and advocate for provisions that are specific to helping non-profits survive economic turmoil while they support the most vulnerable patient populations.