

**The Health, Economic Assistance, Liability Protection, and Schools Act  
Senate COVID 4.0 Proposal  
Health Care Highlights**

(The HEALS Act) which includes:

- American Workers, Families, and Employers Assistance Act
- Coronavirus Response Additional Supplemental Appropriations Act, 2020
- Continuing Small Business Recovery and Paycheck Protection Program Act
- Restoring Critical Supply Chains and Intellectual Property Act
- Safeguarding America's Frontline Employees to Offer Work Opportunities Required to Kickstart the Economy Act or the "SAFE TO WORK Act"
- Safely Back to Work and Back to School Act
- Supporting America's Restaurant Workers Act
- Time to Rescue United States Trusts Act of 2020 or the "TRUST Act of 2020"

**1. Provisions that benefit physicians and physician practices.**

- ***Medicare Accelerated and Advance Payment Programs during COVID-19.*** Extends the payment periods for the Medicare accelerated payments from 120 days to 270 days before claims are offset to recoup the accelerated payment. Also extends from 12 months to 18 months from the date of the first accelerated payment before requiring that the outstanding balance be paid in full. The language gives the HHS Secretary discretion to make payments after July 9, 2020 under this Program. (American Workers, Families, and Employers Assistance Act, Sec. 302)
- ***Public Health and Social Services Emergency Fund (CARES Act Provider Relief Fund).*** \$78+ billion (see more below) through September 2022 to prevent, prepare for, and respond to COVID-19 domestically or internationally, including \$25 billion to the Provider Relief Fund to reimburse, through grants or otherwise, expenses or losses attributable to COVID-19 for eligible Medicare and Medicaid providers, for-profit and not-for-profit entities. This allows for payment, pre-payment, prospective payments, and retrospective payment. An application for payment would be required with a statement justifying the need for the payment, a valid tax identification number. Regular reporting of HHS OIG to House and Senate Appropriations Committees. (Coronavirus Response Additional Supplemental Appropriations Act, 2020, Title VIII)
- ***Liability Limitations on Health Care Providers.*** Creates an exclusive federal cause of action for coronavirus medical liability claims, including all alleged injuries that arise from conduct taking place between December 1, 2019 and the later of either the end of the coronavirus emergency declaration or October 1, 2024. Health care providers (including physicians) would only be liable for injuries caused by gross negligence or willful misconduct. This would not preempt state laws that provide greater liability protection for health care providers and would also not preempt the Public Readiness and Emergency Preparedness (PREP) Act, government enforcement actions, claims of intentional discrimination, or the already existing federal laws governing vaccine injuries. (Safe to Work Act, Sec. 141, 142).
- ***Paycheck Protection Program (PPP) Expanded to include 501(c)(6) Entities.*** Such entities would be eligible for loans under PPP, but only if the organization does not receive more than 10 percent of receipts from lobbying, the lobbying activities do not comprise more than 10 percent of receipts, and the organization has 300 or fewer employees. (Continuing Small Business Recovery and Paycheck Protection Program Act, Sec. 113).

- ***Other PPP Improvements.*** Additional expenses would be allowable and forgivable, including: payment for any software, cloud computing, and other human resources and accounting needs; covered supplier costs pursuant to a contract for goods in effect prior to February 15, 2020 that are essential to the recipient's current operations; and personal protective equipment and adaptive investments to help a loan recipient comply with federal health and safety guidelines related to COVID-19 during the period between March 1, 2020, and December 31, 2020. A borrower could select a covered period for purposes of loan forgiveness between 8 weeks after origination and December 31, 2020. The application process is also simplified. (Continuing Small Business Recovery and Paycheck Protection Program Act, Title I).
- ***PPP Second Draw Loans.*** Authorizes a second draw loan from the PPP for eligible businesses and businesses qualifying originally. Defines eligibility for PPP Second Draw loans as small businesses that meet the applicable Small Business Act (SBA) revenue size standard, have no more than 300 employees, and demonstrate at least a 50 percent reduction in gross revenues. A waiver is provided for businesses in the Accommodation and Food Services category; businesses will be considered eligible if no single location employs more than 300 employees. Ineligible entities include publicly-traded businesses, entities listed in 13 C.F.R. 120.110 except for entities which have otherwise been made eligible by statute or guidance (e.g., non-profit entities), businesses in financial services which received a PPP loan in the first round of funding, and entities affiliated with entities in the People's Republic of China. \$190 billion is provided in committed and appropriated funds to support PPP and PPP Second Draw Loans. Includes a \$25 billion set-aside for entities with 10 or fewer employees and a \$10 billion set-aside for loans made by community lenders. The maximum loan size would equal 2.5 times average total monthly payroll costs, up to \$2 million. Businesses that received a PPP loan may not receive another PPP loan that aggregates to more than \$10 million. Borrowers of a PPP Second Draw would be eligible for loan forgiveness for costs incurred before January 1, 2021. The 60/40 cost allocation for payroll and non-payroll costs to receive full PPP forgiveness continues to apply. Directs the Administrator to issue guidance addressing barriers to access to capital for underserved communities. (Continuing Small Business Recovery and Paycheck Protection Program Act, Sec. 106)
- ***Enhanced Employee Hiring and Retention Payroll Tax Credit.*** Makes several changes to the employee retention tax credit (ERTC) passed as part of the CARES Act. Increases the applicable percentage of qualified wages reimbursed through the ERTC to 65 percent from 50 percent. Lowers the amount of the reduction in gross receipts required to qualify as an eligible employer from a 50-percent decline to a 25-percent decline compared to the same calendar quarter in the previous year. Modifies the definition of gross receipts to include gross receipts of tax-exempt organizations. Increases the limitation on qualified wages taken into account per employee to \$10,000 per quarter (limited to \$30,000 for the calendar year). Increases the 100-employee threshold to 500 employees for purposes of calculating the portion of wages that compensate the employee for not performing services. Enhances coordination between the credit and the Paycheck Protection Program by allowing employers to be eligible for both programs, but with limitations to prevent overlapping benefits. It also clarifies that group health plan expenses are considered qualified wages even when no other wages are paid to the employee, consistent with IRS guidance. (American Workers, Families, and Employers Assistance Act, Sec. 311)
- ***Safe and Healthy Workplace Tax Credit.*** Establishes a refundable payroll tax credit equal to 50 percent of an employer's "qualified employee protection expenses," such as testing for COVID-19, protective personal equipment, cleaning supplies, "qualified workplace reconfiguration expenses," including modifications to workspaces for the purpose of protecting employees and

customers from the spread of COVID-19, and “qualified workplace technology expenses,” including contactless point-of-sale systems and other technology to track employee interactions with customers. Qualified workplace reconfiguration expenses and qualified workplace technology expenses must have a primary purpose of preventing the spread of COVID-19 among other requirements. In each calendar quarter, qualified expenses cannot exceed a cap based on the average number of employees: the cap is equal to \$1,000 for each of the first 500 employees, plus \$750 for each employee between 500 and 1000, plus \$500 for each employee that exceeds 1,000. The credit also permits self-employed individuals, including sole proprietors, independent contractors, and farmers, to claim a refundable credit against income taxes for the same types of COVID-19 related expenses. The credit applies to amounts paid or incurred for qualified employee protection expenses after March 12, 2020 and before January 1, 2021. (American Workers, Families, and Employers Assistance Act, Sec. 313)

- ***Authority to Extend Medicare Telehealth Waivers.*** Grants CMS the authority to extend the waivers and other policies covering telehealth services through 2021. These waivers, the authority for which was previously provided for in CARES, would allow telehealth services to continue to be covered regardless of the location of the patient. A MedPAC study on telehealth provisions for expiration and continuation is due by July 2021. (American Workers, Families, and Employers Assistance Act, Sec. 303).
- ***Extension of Ability for RHCs and FQHCs to serve as Distant Sites.*** Extends the authority allowing for Rural Health Clinics (RHCs) and Federally Qualified Health Centers (FQHCs) to serve as distant sites for five years after the end of the public health emergency. (American Workers, Families, and Employers Assistance Act, Sec. 304).
- ***Additional Workforce Activities.*** Authorizes additional funding for National Dislocated Worker grants through 2022. (Safely Back to School and Back to Work Act, Sec. 206)

## 2. Provisions that benefit medical students.

- ***Additional Workforce Activities.*** Allows local boards to use more of their existing funds on incumbent worker training or transitional jobs by authorizing 40% of funds provided under the Workforce Innovation and Opportunity Act to be used for either activity. Also, provides the Secretary of Labor with the authority to waive requirements for Job Corps to allow individuals to apply before they turn 25, regardless of if they turn 25 during a qualifying emergency, and allows the Secretary to extend the length of enrollment due to a qualifying emergency. Moreover, if an individual turns 25 during a qualifying emergency, they may still participate in YouthBuild and may participate for more than 24 months if their program is impacted by a qualifying emergency. Moreover, it authorizes additional funding to support apprenticeships through 2022. (Safely Back to School and Back to Work Act, Sec. 206)
- ***Amendments to Education Provisions of the CARES Act.*** In terms of provisions that relate to campus-based aid, the bill clarifies that the CARES Act waiver for matching funds in Federal Work Study extends to participating non-profit organizations that provide opportunities for students to work in community service positions. Also, it extends existing CARES authority to reallocate Supplemental Education Opportunity Grants or Federal Work Study funds through the end of the 2020-2021 award year, or the end of the qualifying emergency, whichever is later. Additionally, it extends existing CARES waivers for Federal Work Study into the 2020-2021 award year and includes exceptions for jobs that are no longer needed due to an institution operating solely through distance education or due to an institution providing fewer work-study positions because of the qualifying emergency. (Safely Back to School and Back to Work Act, Sec. 209)

- ***Foreign Institutions.*** Extends existing CARES waivers for foreign institutions through the end of the 2020-2021 award year, or the end of the qualifying emergency and the following payment period, whichever is later. (Safely Back to School and Back to Work Act, Sec. 209)
- ***In School Student Loan Borrowers.*** Clarifies that the CARES Act relief for Federal student loan borrowers, which provides 0% interest accrual until September 30, 2020, also applies to students during in-school deferment. (Safely Back to School and Back to Work Act, Sec. 209)
- ***Perkins Loans.*** Creates parity with TEACH and Stafford loan teacher forgiveness for Perkins Loans cancellation by considering service as fulfilling the requirement for a complete year of service, if the service of a borrower was interrupted due to a qualifying emergency. (Safely Back to School and Back to Work Act, Sec. 209)
- ***CARES Funds Not Income.*** Clarifies that any funds received by a student or family during the national emergency under the CARES Act should not be counted toward taxed or untaxed income in the Needs Analysis formula for the Expected Family Contribution for the current, or any upcoming, award years. (Safely Back to School and Back to Work Act, Sec. 209)
- ***Financial Aid and Unemployment.*** Allows financial aid administrators to determine that a single unemployed person has zero income earned from work during the Needs Analysis as part of the “Professional Judgement” analysis instead of looking at previous year tax data to help those recently unemployed due to the coronavirus. Moreover, it allows financial aid administrators to make appropriate adjustments for other family members if the student is married or a dependent student, including considering an unemployed family member’s income earned from work as zero. (Safely Back to School and Back to Work Act, Sec. 209)
- ***Program Review Criteria.*** Requires that the Secretary adjusts program review criteria for institutions of higher education during this time to account for the high number of professional judgements. (Safely Back to School and Back to Work Act, Sec. 209)
- ***Notice on FAFSA.*** Adds notice on Free Application for Federal Student Aid (FAFSA) applications for the 2020-2021 award year (current application) and the 2021-2022 award year (application available in October) for professional judgment and dislocated worker. Additionally, it adds a temporary check box on the FAFSA for applicants to report incidences of recent income loss to financial aid administrators to help those recently unemployed due to the coronavirus. (Safely Back to School and Back to Work Act, Sec. 209)
- ***Department of Education Funding.*** The bill allocates \$105 billion for the Education Stabilization Fund that can be used through September 30, 2020 to prevent, prepare for, and respond to the coronavirus, domestically or internationally. The \$105 billion will be divided by providing \$1 billion for the Bureau of Indian Education and outlying areas based on the terms and conditions in the CARES Act, \$5 billion for the Governors Emergency Education Relief Fund, \$70 billion for the Elementary and Secondary School Emergency Relief Fund, and \$29 billion for the Higher Education Emergency Relief Fund. (Coronavirus Response Additional Supplemental Appropriations Act, 2020, Sec. 821)
- ***Governors Emergency Education Relief Fund.*** Authorizes funding for the Governors Emergency Education Relief Fund, which provides flexible funding to Governors to be used for early childhood education, elementary and secondary education, or higher education, based on the needs of the state. These funds can be used to provide emergency support through grants to institutions of higher education serving students within the State that have been significantly impacted by the coronavirus. (Coronavirus Response Additional Supplemental Appropriations Act, 2020, Sec. 822)

- ***Higher Education Emergency Relief Fund.*** Provides funding for higher education to prevent, prepare for, and respond to the coronavirus, by apportioning 90% of the set aside money to the relative share of full-time equivalent enrollment of Federal Pell Grant recipients who were not exclusively enrolled in distance education courses prior to the coronavirus emergency and 10% of the set aside according to the relative share of full-time equivalent enrollment of students who were not Federal Pell Grant recipients who were not exclusively enrolled in distance education courses prior to the coronavirus emergency. This money is to be used to address needs directly related to the coronavirus including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll. Moreover, it can be used to provide financial aid grants to students (including students exclusively enrolled in distance education), or any component of the student's cost of attendance or for emergency costs that arise due to the coronavirus. Additionally, there is a \$2.9 billion set aside for additional funding for Historically Black Colleges and Universities and Minority Serving Institutions. (Coronavirus Response Additional Supplemental Appropriations Act, 2020, Sec. 824)
- ***Payment to School Employees.*** A local educational agency, State, institution of higher education, or other entity that receives funds under the Education Stabilization Fund will be required, to the greatest extent practicable, to continue to pay its employees and contractors during the period of any disruptions or closures related to the coronavirus. (Coronavirus Response Additional Supplemental Appropriations Act, 2020, Sec. 826)
- ***Public Health and Social Services Emergency Fund.*** Provides \$8 billion through September 2022 to prevent, prepare for, and respond to COVID-19 domestically or internationally including \$250 million to the HRSA Bureau of Health Workforce thru September 2022 to supplement Children's Hospitals Graduate Medical Education (GME) (Coronavirus Response Additional Supplemental Appropriations Act, 2020)

### 3. Other noteworthy provisions.

- ***Simplifying Student Loan Repayment.*** Loans that enter repayment on or after October 1, 2020 will only be able to choose between two repayment plans. (1) a fixed time period not to exceed 10 years or (2) an income-based repayment plan that may exceed 10 years and will be 10% of the borrower and spouse's (if applicable) discretionary income to be readjusted every year. If the borrower and spouse's (if applicable) income exceeds 800% of the poverty line the percentage owed will decrease by 5% for each percentage point that the borrower's adjusted gross income exceeds 800% until the percentage amount calculated is zero. Income based repayment will not be available to borrowers of Federal Direct PLUS Loans or Federal Direct Consolidation Loans. The balance of the loans will be canceled on an income-based repayment plan after 20 years for undergraduate borrowers and 25 years for graduate borrowers. To have loans forgiven under the Public Service Loan Forgiveness program the borrower must make 120 payments on an income-based repayment plan. If a borrower is currently unemployed then they will not be required to make payments. [While this has been touted as a potential benefit, further vetting is required]. (Safely Back to School and Back to Work Act, Sec. 201)
- ***Changes to the 7(a) Loan Guaranty Program for Recovery Sector Businesses.*** Authorizes \$100 billion in long-term, low-cost loans to recovery sector businesses, which include seasonal businesses and businesses located in low-income census tracts that meet the applicable SBA revenue size standard, employ 500 or fewer employees, and demonstrate at least a 50 percent reduction in gross revenues. Loan amounts would be available at up to twice the borrower's annual revenues, not to exceed \$10 million. The loan would have a 100 percent SBA guarantee



and maturity of up to 20 years with a one percent fixed interest rate to the borrower. Waives the SBA's credit elsewhere test and allows the borrower to defer loan and interest payments for the first 2 years. Allowable loan uses include working capital, acquisition of fixed assets, and refinancing existing indebtedness. Entities made ineligible by statute for PPP Second Draw loans and any entity that received a second draw of PPP are not eligible. Borrowers may apply for this loan until December 31, 2020. (Continuing Small Business Recovery and Paycheck Protection Program Act, Sec. 112)

- ***Increased Flexibility for Borrowers to Request Increase in Loan Amount.*** Allows borrowers whose loan calculations have increased due to changes in interim final rules to work with lenders to alter their loan value regardless of whether the loan has been fully disbursed or if Form 150 has already been submitted. (Continuing Small Business Recovery and Paycheck Protection Program Act, Sec. 108)
- ***Small Business Investment Company Program.*** Creates the Small Business and Domestic Production Recovery Facility, which provides for \$10 billion in long-term debt with equity features to registered SBA Small Business Investment Companies (SBICs) that invest in small businesses with significant revenue losses from COVID-19, manufacturing startups in the domestic supply chain, and low-income communities. Eligible small businesses include small businesses otherwise meeting the SBA's size standards and which (1) meet the revenue reduction requirements for PPP; (2) are a manufacturing business; or (3) are located in a small business low-income census tract. (Continuing Small Business Recovery and Paycheck Protection Program Act, Sec. 121)
- ***Commitment Authority and Appropriations.*** Allows the Administrator to make commitments for loans made under the Paycheck Protection Program and Second Draw Loans beginning on February 15, 2020 through December 31, 2020 at \$749 billion. It further allows commitments for Recovery Sector Loans beginning on February 15, 2020 through December 31, 2020 at \$100 billion. It also separates SBA's traditional 7(a) loan program authorization from the Paycheck Protection Program, Second Draw, and Recovery Sector Loans. Would rescind \$100 billion in previously appropriated funds from the CARES Act and the Paycheck Protection Program and Health Care Enhancement Act and appropriate \$190 billion in funds for the Paycheck Protection Program and Second Draw Loans, \$57.7 billion for Recovery Sector Loans, and \$10 billion for the Small Business Growth and Domestic Production Investment Facility. (Continuing Small Business Recovery and Paycheck Protection Program Act, Sec. 131)
- ***TANF Coronavirus Emergency Fund.*** Provides funding to states to support individuals with varied economic needs by reimbursing states for 80 percent of their increased costs of providing cash assistance and other short-term help through the TANF program, up to a cap of \$2 billion. (American Workers, Families, and Employers Assistance Act, Sec. 305)
- ***Medicare Part B Premium and Deductible Levels Held Steady.*** The monthly actuarial rate for enrollees age 65 and over for 2021 shall be the same as the monthly actuarial rate for 2020. This protects enrollees from anticipated Medicare Part B premium and deductible increases stemming from overall economic conditions from COVID-19. (The 2020 monthly premium for a standard plan is \$144.90.) (American Workers, Families, and Employers Assistance Act, Sec.301).
- ***Temporary Carryover for Health Flexible Spending Arrangements.*** Health plans and approved cafeteria plans may allow individuals to carry over up to \$2,750 in health care flexible benefits from 2020 to 2021. This may also be done for Dependent Care FSAs as well, for different amounts. (American Workers, Families, and Employers Assistance Act, Sec. 305).
- ***On-Site Employee Clinics.*** For 2020 and 2021, designates employer on-site clinics as an eligible HSA expense for certain services, allowing preventive health and chronic conditions to be

addressed in this additional setting. (American Workers, Families, and Employers Assistance Act, Sec. 306).

- ***Liability Limitations for Coronavirus Related Negligence.*** This would create a federal right of action for personal injury caused by an actual, alleged, feared or potential exposure to coronavirus. This would allow for liability claims resulting from a coronavirus related injury only where a plaintiff can show that (1) an individual or entity did not comply with the applicable mandatory coronavirus standards and regulations in effect at the time of the alleged exposure; and (2) the defendant's gross negligence or willful misconduct caused the plaintiff's coronavirus injuries. Damages would be recoverable only for economic losses (not punitive damages), unless intentional misconduct is shown. (Safe to Work Act Sec 121, 122, 162).
- ***Liability Limitations for Certain FDA Regulated Products.*** This would protect products subject to a notice of enforcement discretion during a public health emergency declared by the Secretary of Health and Human Services from liability arising from their use. (*Safe to Work Act Sec 201*).
- ***Requirement to Purchase Personal Protective Equipment (PPE) for the National Strategic Stockpile from Domestic Suppliers.*** Would require all PPE to be purchased from domestic suppliers unless it has been determined that the supplies in question are not available domestically or the items cost less than \$150,000. (Restoring Critical Supply Chains and Intellectual Property Act, Sec 102).
- ***Sustained On-Shore Manufacturing Capacity for Public Health Emergencies.*** Provides the Biomedical Advanced Research and Development Authority (BARDA) with additional authority to support domestic manufacturing surge capacity for vaccines and therapeutics during public health emergencies. (Safely Back to School and Work Act, Sec 102).
- ***Investment Credit for Qualifying Medical Personal Protective Equipment Manufacturing Projects.*** Provides a Tax credit of 30% of costs associated with investment in the production of qualified PPE. (Restoring Critical Supply Chains and Intellectual Property Act, Sec 103).
- ***Federal Research Security Council.*** Establishes a Federal Research Security Council in OMB that would standardize and secure the federal grant-making process across the government. (Restoring Critical Supply Chains and Intellectual Property Act, Sec 203).
- ***Centers for Public Health Preparedness.*** Creates a network of ten regional Centers for Public Health Preparedness at institutes of higher education or other nonprofit entities which the Secretary of HHS would award grants, contracts, or cooperative agreements to. Centers would support state and local health departments by disseminating research related to public health preparedness and response, identifying and developing evidence-based practices, creating exercises and trainings to prepare for public health emergencies, and providing technical assistance and expertise during public health emergencies. (Safely Back to School and Work Act, Sec 107).
- ***Telehealth Plans.*** Allows employers to offer telehealth as an excepted benefit to employees who are not full-time or do not qualify for their employer's coverage. (Safely Back to School and Work Act, Sec 108).
- ***Improving Diagnostic Test Development.*** Would require HHS to establish and publish policies and procedures for public and private entities to access samples of specimens containing infectious disease agents, or suitable surrogates or alternatives to support the development of products, including the development of diagnostic tests, treatments, or vaccines, to address emerging infectious diseases for biomedical research. Would also require the Secretary to identify projected demand and availability of such supplies; and support activities to increase the availability of such supplies or appropriate alternatives. (Safely Back to School and Work Act, Sec 101).

- ***Prohibition on use of Human Genetic Information.*** Prohibits the use of genetic information collected incidentally as a result of diagnostic or serologic testing for COVID-19 unless the express written consent of the individual being tested is granted. (Safely Back to School and Work Act, Sec 109).
- ***Improving and Sustaining State Medical Stockpiles.*** Establishes state stockpiles of medical products and supplies needed during a public health emergency, such as personal protective equipment, ventilators, and other medical products and requires HHS to provide guidance and technical assistance to states on maintaining stockpiles. Appropriates \$1 billion per year through 2030 to establish and maintain these stockpiles. (Safely Back to School and Work Act, Sec 103).
- ***Strengthening the Strategic National Stockpile.*** Gives the Secretary of Health and Human Services additional authority to enter into contracts to ensure adequate levels of stockpiled products and ensure adequate manufacturing capacity of such materials during a public health emergency. (Safely Back to School and Work Act, Sec 104).
- ***Guidance for States and Indian Tribes on Accessing the Strategic National Stockpile.*** Requires HHS to publish guidance on how states and tribes can request and access resources from the Strategic National Stockpile. (Safely Back to School and Work Act, Sec 105).
- ***Workforce Recovery and Training Services.*** Authorizes funding for a formula grant to States to support job training, including through activities authorized under the Workforce Innovation and Opportunity Act such as customized training, on-the-job training, Individual Training Accounts, or transitional jobs through 2022. (Safely Back to School and Back to Work Act, Sec. 207).
- ***Modernizing Infectious Disease Data Collection.*** Updates CDC surveillance authority to include additional sources of information including laboratory testing and epidemiology systems. Directs CDC to pursue strategies to improve electronic exchange of information between State and local health departments and health care providers and facilities. (Safely Back to School and Work Act, Sec. 106).
- ***Department of Veterans Affairs Funding.*** Provides no new funding to the VA but allows money that was allocated to the Veterans Health Administration, Medical Services through the CARES Act to be allocated for different uses including the Veterans Benefits Administration, the National Cemetery Administration, the Board of Veterans Appeals, the Veterans Health Administration, Canteen Service Revolving Fund, General Operating Expenses, and Veterans Benefits Administration, Departmental Administration, Information Technology Systems provided that the transferred funds shall be used for personnel costs and other expenses to prevent, prepare for, and respond to the coronavirus. Additionally, it provides that funding under the CARES Act can be allocated to create new grants for VA Construction of State Extended Care Facilities. (Coronavirus Response Additional Supplemental Appropriations Act, 2020, Sec. 1001, 1002, 1003, and 1004).
- ***Additional Funding for the Regan-Udall Foundation and Foundation for NIH.*** Provides for \$1.25 million to \$5 million in funds transferred from FDA and NIH to the Regan-Udall Foundation and the Foundation for the National Institutes of Health, respectively, up from \$500,000. (Safely Back to School and Work Act, Sec. 110).
- ***Appropriations Provisions from Title VIII - Coronavirus Response Additional Supplemental Appropriations Act, 2020.***
  - ***Public Health and Social Services Emergency Fund.*** \$78+ billion thru September 2022 to prevent, prepare for, and respond to COVID-19 domestically or internationally including:
    - \$25 billion to the Provider Relief Fund to reimburse, through grants or otherwise, expenses or losses attributable to COVID-19 for eligible Medicare and Medicaid providers, for-profit and not-for-profit entities. This allows for payment, pre-payment, prospective payments, and retrospective payment. An application for payment would be required with a statement justifying the need for the payment,



- a valid tax identification number. Regular reporting of HHS OIG to House and Senate Appropriations Committees.
- \$16 billion for testing, contact tracing, surveillance both domestically and internationally for both active infection and prior exposure, including molecular, antigen, and serological tests, the manufacturing, procurement and distribution of tests, testing equipment and testing supplies, including PPE needed for administering tests, the development and validation of rapid, molecular point-of-care tests to support for workforce, epidemiology, to scale up academic, commercial, public health, and hospital laboratories.
  - \$7.6 billion to Health Resources and Services Administration (HRSA) for health center capital improvements and staffing increases resulting from the COVID response,
  - \$250 million to HRSA Bureau of Health Workforce thru September 2022 to supplement Children's Hospitals Graduate Medical Education (GME),
  - \$225 million for grants or mechanisms for rural health clinics building for construction of temporary structures, leases, and retrofitting facilities to support COVID-19 testing. Distribution of funds will be through a process developed by the CARES Provider Relief Fund and subject to its requirements.
- ***Centers for Disease Control and Prevention (CDC)***. \$3.4 billion thru September 2024 for: State and local public health (\$1.5 billion), influenza vaccination efforts (\$500 million); global public health security (\$200 million); and modernization of public health data reporting (\$200 million).
  - ***National Institutes of Health (NIH)***. \$15.5 billion including \$480.56 million for National Institute of Allergy and Infectious Diseases (NIAID), \$200 million for National Institute of Mental Health, \$1.24 billion for the ACTIV public-private partnership to prioritize and speed the development of treatments and vaccines, \$240 million to provide resources targeted young researchers who need additional research time as post-doctoral candidates because of lost research/training due to COVID-19.
  - ***Substance Abuse and Mental Health Services Administration***. \$4.5 billion through September 2021.
  - **Centers for Medicare and Medicaid Services (CMS) Program Management**. \$150 million to increase survey frequency of skilled nursing facilities and nursing facilities.