

## COVID-19 Weekly Public Policy Recap

April 17, 2020

### Congressional Updates

The week closes with no significant action to renew funds for the dried-up small business Paycheck Protection Program after posturing on both sides of the aisle. Republicans and Democrats clashed over a Treasury Department request for \$250 billion to keep the program running. The next pro forma session in the Senate is scheduled for Monday, April 20, hope remains that both parties will be able to come to an agreement over the weekend.

While Senate Democratic leadership filled the week in negotiations over an interim coronavirus relief bill, several measures were proposed this week in the hopes they will be included in a fourth relief package. House Democrats introduced a bill that would expand COBRA to cover the full cost premiums for those who lose their jobs due to the coronavirus pandemic while others introduced a bill that would expand the direct payments to individuals to \$2,000 on a monthly basis until unemployment returns to pre-pandemic levels. Additionally, Senate Democratic leadership recently rolled out a proposal that would provide \$30 billion in emergency funding to increase testing and build an infrastructure to administer testing across the country.

As part of the CARES Act, the Federal Reserve recently announced its new “Main Street” lending facility. This facility will support up to \$600 billion in bank lending to small and mid-sized businesses, including two lending options: new loans of \$1 million to \$25 million, or expansion of a business’s existing loan with a bank to up to \$150 million. The program excludes nonprofits, many institutions of higher learning and Minority-Serving Institutions.

Following an extension of social distancing measures the House and Senate are not expected to return to DC before May 4.

### Administration Updates

The Department of Health and Human Services is struggling to distribute the \$100 billion emergency funds appropriated for medical providers in the \$1.8 trillion economic aid package enacted last month. CMS sent an initial wave of \$30 billion to providers based on their Medicare fee-for-service revenue last week, prompting urging from lawmakers and hospital groups for more money to struggling hospitals that rely on Medicaid or have high rates of uncompensated care. Lawmakers have pressured the administration to remedy several issues including a 10.25 percent interest rate for Medicare’s accelerated payment loan program, which advances payments to providers based on their past Medicare revenue. The most recent aid package expanded eligibility for the loans, but the interest rate renders the program useless to hospitals that were financially underwater even before the pandemic struck.

### *Social Distancing Orders*

President Trump [unveiled national guidelines](#) on when and how the country will start to recover from the sharp economic decline of the coronavirus pandemic. Public Health officials have cautioned the president on opening the country prematurely with HHS and Homeland Security projections showing the

drastic impact of altering shelter in place orders. The model shows that in states where shelter in place orders were issued, that a move to only steady state orders could cause a major spike in infections 100 days later and peaking at 150 days. Under this scenario there would be 160 million infections in the US, with 740,000 needed intensive care.

#### *Access to Care*

The FDA has issued a [guidance](#) for industry regarding conducting clinical trials during the COVID-19 pandemic. The agency is offering flexibility around clinical trial policies in efforts to maintain patient safety and test integrity, while dealing with the challenges posed by the coronavirus. The agency could consider additionally virtual visits where possible opening flexibility for patients.

#### *Testing and Supplies*

Vice President Pence said this week he's optimistic an antibody test will soon be approved by the FDA. The test will determine if a person has had exposure to the virus and if they have short-term immunity. This comes after healthcare workers have found that plasma from those recovered from coronavirus can help a current patient recover. Antibody blood tests are also generally believed to be a good tool to determine when it's safe to reopen the country. Meanwhile, shortages of testing supplies are quickly becoming the administration's next obstacle.

Members of the Senate are now scrutinizing the Federal Trade Commission (FTC), asking to clarify its authority to combat price gouging which has plagued hospitals, states, and federal agencies alike amidst the coronavirus pandemic

American workers have filed more than 3,000 complaints with the Occupational Safety and Health Administration (OSHA), alleging unsafe working conditions while being potential exposed to the coronavirus. Healthcare workers, 9,000 of whom have tested positive for the virus, made up the bulk of complaints on the lack of personal protective equipment.

#### **State Updates**

The pressures on state and local finances from the coronavirus pandemic and resulting economic fallout are mounting and will quickly become severe – significantly worse in the coming year than states and localities experienced during the Great Recession. Federal policymakers have provided some emergency fiscal relief, but it's far too little to enable states and localities to respond to the immediate public health emergency or prolong a recession.

States' costs are rapidly rising as they seek to contain the coronavirus. Those costs will spike as businesses continue to lay off workers and incomes fall. At the same time, state revenues are plummeting, knocking state budgets out of balance.

Additionally, [more than 2,100 U.S. cities are anticipating major budget shortfalls](#) this year and many are planning to slash programs and cut staff in response, according to a survey of local officials released Tuesday, illustrating the widespread financial havoc threatened by the coronavirus pandemic.

#### **Recent Komen Engagement**

Komen sent a letter to federal lawmakers this week detailing the pressing needs of breast cancer patients during this crisis. The letter calls for Congress to implement oral chemotherapy parity, reduce

barriers to clinical trials, have a special enrollment period for Affordable Care Act plans, address surprise medical bills, expand paid leave, and ensure sustainability of non-profit work. The letter will be used to develop and action alert allowing our grassroots network to stay engaged in the conversation that will be sent out the week of April 20<sup>th</sup>.

We also joined several other coalition letters which echo and reinforce the issues addressed in the Komen letter through the Partnership to Protect Coverage and the Coalition to Improve Access to Care.

These letters and more can be found on [myKomen](#).

As part of Komen's membership in the Coalition for Health Funding you can view the coalition's page on COVID-19 related resources [here](#).

### **In Other News**

- [Millions wait for virus relief checks in major test for IRS](#)
- [Five takeaways on White House coronavirus guidelines](#)
- [FEMA faces multi-front battle on COVID-19 as hurricane season nears](#)
- [Report says COVID-19 patients respond to Gilead's remdesivir, shares surge](#)
- [Breast Cancer Survivor Donates Glam Hospital Gowns](#)