CDCAN Disability-Senior Rights Report: BREAKING NEWS - US HOUSE OF REPRESENTATIVES PASS CORONAVIRUS RELIEF BILL (CARES ACT) - HEADS TO PRESIDENT FOR APPROVAL



# CALIFORNIA DISABILITY-SENIOR COMMUNITY ACTION NETWORK AND THE CALIFORNIA PERSON CENTERED ADVOCACY PARTNERSHIP DISABILITY-SENIOR RIGHTS REPORT MARCH 27, 2020 - FRIDAY MORNING

## Advocacy Without Borders: One Community – Accountability With Action - Person Centered Advocacy

CDCAN Reports go out to over 65,000 people with disabilities, mental health needs, seniors, people with traumatic brain and other injuries; Alzheimer's and other disorders; people with Myalgic Encephalomyelitis/Chronic Fatigue syndrome; people with MS; veterans with disabilities and mental health needs, families, workers, community organizations, facilities and advocacy groups including those in the Asian/Pacific Islander, Latino, American Indian, Indian, African-American communities; policymakers, and others across the State.

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#### FEDERAL UPDATE - BREAKING NEWS

## US HOUSE OF REPRESENTATIVES PASSES \$2 TRILLION CORONAVIRUS RELIEF BILL - HEADS NEXT TO PRESIDENT

**President Expected to Sign Bill Immediately** 

SACRAMENTO, CA [BY MARTY OMOTO, CDCAN LAST UPDATED 03/27/2020 10:48 AM (PACIFIC TIME] - The US House of Representatives passed this afternoon (Washington, DC time), HR 748, the \$2 trillion bill coronavirus relief package - formally titled the "Coronavirus Aid, Relief and Economic Security Act" or "CARES Act".

The legislation - which the US Senate passed unanimously on Wednesday

(March 25th) - heads next to President Trump, who is expected to sign the measure immediately when it is presented to him sometime later today.

CDCAN will provide full details of the legislation - and the two previous coronavirus federal legislation that were passed and signed into law earlier this month.

### LINKS BY CDCAN TO PDF DOCUMENT COPIES OF CORONAVIRUS RELIEF BILLS

The following, compiled by CDCAN, are the links (to official congressional webpages) for PDF Document copies of the bill containing the \$2 trillion package for coronavirus relief as passed today (March 27th) by the US House of Representatives and that the US Senate passed by unanimous vote on Wednesday (March 25). Also listed are the links to the two previous coronavirus relief bills that Congress passed earlier this month and that the President signed into law.

#### THIRD CORONAVIRUS RELIEF BILL

**NEW** HR 748 - CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT)" - AMENDMENT PASSED BY US SENATE ON MARCH 25, 2020 AND PASSED BY US HOUSE ON MARCH 27, 2020 - PDF Document (854 pages) [this is version being voted on by the US House today (March 27): https://www.congress.gov/116/bills/hr748/BILLS-116hr748eas.pdf

CDCAN Note: Legislation (as passed by US Senate and US House of Representatives) contains the following: \$2 Trillion in relief - major provisions [CDCAN highlighted in RED the sections in this bill that may be of interest to people with disabilities, developmental disabilities, mental health needs, older Californians, Californians with low incomes, their families, workers and others:: TITLE I—KEEPING AMERICAN WORKERS PAID AND EMPLOYED ACT

Sec. 1101. Definitions.

Sec. 1102. Paycheck protection program.

Sec. 1103. Entrepreneurial development.

Sec. 1104. State trade expansion program.

Sec. 1105. Waiver of matching funds requirement under the women's business center program.

Sec. 1106. Loan forgiveness.

Sec. 1107. Direct appropriations.

Sec. 1108. Minority business development agency.

Sec. 1109. United States Treasury Program Management Authority.

Sec. 1110. Emergency EIDL grants.

Sec. 1111. Resources and services in languages other than English.

Sec. 1112. Subsidy for certain loan payments.

Sec. 1113. Bankruptcy.

Sec. 1114. Emergency rulemaking authority.

TITLE II—ASSISTANCE FOR AMERICAN WORKERS, FAMILIES, AND

BUSINESSES

Subtitle A—Unemployment Insurance Provisions

Sec. 2101. Short title.

Sec. 2102. Pandemic Unemployment Assistance.

Sec. 2103. Emergency unemployment relief for governmental entities and nonprofit organizations.

Sec. 2104. Emergency increase in unemployment compensation benefits.

Sec. 2105. Temporary full Federal funding of the first week of compensable regular unemployment for States with no waiting week.

Sec. 2106. Emergency State staffing flexibility.

Sec. 2107. Pandemic emergency unemployment compensation.

Sec. 2108. Temporary financing of short-time compensation payments in States with programs in law.

Sec. 2109. Temporary financing of short-time compensation agreements.

Sec. 2110. Grants for short-time compensation programs.

Sec. 2111. Assistance and guidance in implementing programs.

Sec. 2112. Waiver of the 7-day waiting period for benefits under the Railroad Unemployment Insurance Act.

Sec. 2113. Enhanced benefits under the Railroad Unemployment Insurance Act.

Sec. 2114. Extended unemployment benefits under the Railroad Unemployment Insurance Act.

Sec. 2115. Funding for the DOL Office of Inspector General for oversight of unemployment provisions.

Sec. 2116. Implementation.

Subtitle B—Rebates and Other Individual Provisions

Sec. 2201. 2020 recovery rebates for individuals.

Sec. 2202. Special rules for use of retirement funds.

Sec. 2203. Temporary waiver of required minimum distribution rules for certain

retirement plans and accounts.

Sec. 2204. Allowance of partial above the line deduction for charitable contributions.

Sec. 2205. Modification of limitations on charitable contributions during 2020.

Sec. 2206. Exclusion for certain employer payments of student loans.

Subtitle C—Business Provisions

Sec. 2301. Employee retention credit for employers subject to closure due to COVID-19.

Sec. 2302. Delay of payment of employer payroll taxes.

Sec. 2303. Modifications for net operating losses.

Sec. 2304. Modification of limitation on losses for taxpayers other than corporations.

Sec. 2305. Modification of credit for prior year minimum tax liability of corporations.

Sec. 2306. Modifications of limitation on business interest.

Sec. 2307. Technical amendments regarding qualified improvement property.

Sec. 2308. Temporary exception from excise tax for alcohol used to produce hand sanitizer.

TITLE III—SUPPORTING AMERICA'S HEALTH CARE SYSTEM IN THE FIGHT AGAINST THE CORONAVIRUS

Subtitle A—Health Provisions

Sec. 3001. Short title.

PART I—ADDRESSING SUPPLY SHORTAGES

SUBPART A—MEDICAL PRODUCT SUPPLIES

Sec. 3101. National Academies report on America's medical product supply chain security.

Sec. 3102. Requiring the strategic national stockpile to include certain types of medical supplies.

Sec. 3103. Treatment of respiratory protective devices as covered countermeasures.

SUBPART B-MITIGATING EMERGENCY DRUG SHORTAGES

Sec. 3111. Prioritize reviews of drug applications; incentives.

Sec. 3112. Additional manufacturer reporting requirements in response to drug shortages.

SUBPART C—PREVENTING MEDICAL DEVICE SHORTAGES

Sec. 3121. Discontinuance or interruption in the production of medical devices.

PART II—ACCESS TO HEALTH CARE FOR COVID-19 PATIENTS

SUBPART A—COVERAGE OF TESTING AND PREVENTIVE SERVICES

Sec. 3201. Coverage of diagnostic testing for COVID-19.

Sec. 3202. Pricing of diagnostic testing.

Sec. 3203. Rapid coverage of preventive services and vaccines for coronavirus.

SUBPART B—SUPPORT FOR HEALTH CARE PROVIDERS

Sec. 3211. Supplemental awards for health centers.

Sec. 3212. Telehealth network and telehealth resource centers grant programs.

Sec. 3213. Rural health care services outreach, rural health network development,

and small health care provider quality improvement grant programs.

Sec. 3214. United States Public Health Service Modernization.

Sec. 3215. Limitation on liability for volunteer health care professionals during

COVID-19 emergency response.

Sec. 3216. Flexibility for members of National Health Service Corps during emergency period.

SUBPART C-MISCELLANEOUS PROVISIONS

Sec. 3221. Confidentiality and disclosure of records relating to substance use disorder.

Sec. 3222. Nutrition services.

Sec. 3223. Continuity of service and opportunities for participants in community service activities under title V of the Older Americans Act of 1965.

Sec. 3224. Guidance on protected health information.

Sec. 3225. Reauthorization of healthy start program.

Sec. 3226. Importance of the blood supply.

PART III—INNOVATION

Sec. 3301. Removing the cap on OTA during public health emergencies.

Sec. 3302. Priority zoonotic animal drugs.

PART IV—HEALTH CARE WORKFORCE

Sec. 3401. Reauthorization of health professions workforce programs.

Sec. 3402. Health workforce coordination.

Sec. 3403. Education and training relating to geriatrics.

Sec. 3404. Nursing workforce development.

Subtitle B—Education Provisions

Sec. 3501. Short title.

Sec. 3502. Definitions.

Sec. 3503. Campus-based aid waivers.

Sec. 3504. Use of supplemental educational opportunity grants for emergency aid.

Sec. 3505. Federal work-study during a qualifying emergency.

Sec. 3506. Adjustment of subsidized loan usage limits.

Sec. 3507. Exclusion from Federal Pell Grant duration limit.

Sec. 3508. Institutional refunds and Federal student loan flexibility.

Sec. 3509. Satisfactory academic progress.

Sec. 3510. Continuing education at affected foreign institutions.

Sec. 3511. National emergency educational waivers.

Sec. 3512. HBCU Capital financing.

Sec. 3513. Temporary relief for federal student loan borrowers.

Sec. 3514. Provisions related to the Corporation for National and Community Service.

Sec. 3515. Workforce response activities.

Sec. 3516. Technical amendments.

Sec. 3517. Waiver authority and reporting requirement for institutional aid.

Sec. 3518. Authorized uses and other modifications for grants.

Sec. 3519. Service obligations for teachers.

Subtitle C—Labor Provisions

Sec. 3601. Limitation on paid leave.

Sec. 3602. Emergency Paid Sick Leave Act Limitation.

Sec. 3603. Unemployment insurance.

Sec. 3604. OMB Waiver of Paid Family and Paid Sick Leave.

Sec. 3605. Paid leave for rehired employees.

Sec. 3606. Advance refunding of credits.

Sec. 3607. Expansion of DOL Authority to postpone certain deadlines.

Sec. 3608. Single-employer plan funding rules

Sec. 3609. Application of cooperative and small employer charity pension plan rules to certain charitable employers whose primary exempt purpose is providing services with respect to mothers and children.

Sec. 3610. Federal contractor authority.

Sec. 3611. Technical corrections.

Subtitle D—Finance Committee

Sec. 3701. Exemption for telehealth services.

Sec. 3702. Inclusion of certain over-the-counter medical products as qualified medical expenses.

Sec. 3703. Increasing Medicare telehealth flexibilities during emergency period.

Sec. 3704. Enhancing Medicare telehealth services for Federally qualified health

centers and rural health clinics during emergency period.

Sec. 3705. Temporary waiver of requirement for face-to-face visits between home dialysis patients and physicians.

Sec. 3706. Use of telehealth to conduct face-to-face encounter prior to recertification of eligibility for hospice care during emergency period.

Sec. 3707. Encouraging use of telecommunications systems for home health services furnished during emergency period.

Sec. 3708. Improving care planning for Medicare home health services.

Sec. 3709. Adjustment of sequestration.

Sec. 3710. Medicare hospital inpatient prospective payment system add-on payment for COVID–19 patients during emergency period.

Sec. 3711. Increasing access to post-acute care during emergency period.

Sec. 3712. Revising payment rates for durable medical equipment under the Medicare program through duration of emergency period.

Sec. 3713. Coverage of the COVID–19 vaccine under part B of the Medicare program without any cost-sharing.

Sec. 3714. Requiring Medicare prescription drug plans and MA–PD plans to allow during the COVID–19 emergency period for fills and refills of covered part D drugs for up to a 3-month supply.

Sec. 3715. Providing home and community-based services in acute care hospitals.

Sec. 3716. Clarification regarding uninsured individuals.

Sec. 3717. Clarification regarding coverage of COVID–19 testing products.

Sec. 3718. Amendments relating to reporting requirements with respect to clinical diagnostic laboratory tests.

Sec. 3719. Expansion of the Medicare hospital accelerated payment program during the COVID–19 public health emergency.

Sec. 3720. Delaying requirements for enhanced FMAP to enable State legislation necessary for compliance.

Subtitle E—Health and Human Services Extenders

PART I—MEDICARE PROVISIONS

Sec. 3801. Extension of the work geographic index floor under the Medicare program.

Sec. 3802. Extension of funding for quality measure endorsement, input, and selection.

Sec. 3803. Extension of funding outreach and assistance for low-income programs. PART II—MEDICAID PROVISIONS Sec. 3811. Extension of the Money Follows the Person rebalancing demonstration program.

Sec. 3812. Extension of spousal impoverishment protections.

Sec. 3813. Delay of DSH reductions.

Sec. 3814. Extension and expansion of Community Mental Health Services demonstration program.

PART III—HUMAN SERVICES AND OTHER HEALTH PROGRAMS

Sec. 3821. Extension of sexual risk avoidance education program.

Sec. 3822. Extension of personal responsibility education program.

Sec. 3823. Extension of demonstration projects to address health professions workforce needs.

Sec. 3824. Extension of the temporary assistance for needy families program and related programs.

PART IV—PUBLIC HEALTH PROVISIONS

Sec. 3831. Extension for community health centers, the National Health Service Corps, and teaching health centers that operate GME programs.

Sec. 3832. Diabetes programs.

PART V—MISCELLANEOUS PROVISIONS

Sec. 3841. Prevention of duplicate appropriations for fiscal year 2020.

Subtitle F—Over-the-Counter Drugs

PART I—OTC DRUG REVIEW

Sec. 3851. Regulation of certain nonprescription drugs that are marketed without an approved drug application.

Sec. 3852. Misbranding.

Sec. 3853. Drugs excluded from the over-the-counter drug review.

Sec. 3854. Treatment of Sunscreen Innovation Act.

Sec. 3855. Annual update to Congress on appropriate pediatric indication for certain OTC cough and cold drugs.

Sec. 3856. Technical corrections.

PART II—USER FEES

Sec. 3861. Finding.

Sec. 3862. Fees relating to over-the-counter drugs.

TITLE IV—ECONOMIC STABILIZATION AND ASSISTANCE TO SEVERELY

DISTRESSED SECTORS OF THE UNITED STATES ECONOMY

Subtitle A—Coronavirus Economic Stabilization Act of 2020

Sec. 4001. Short title.

- Sec. 4002. Definitions.
- Sec. 4003. Emergency relief and taxpayer protections.
- Sec. 4004. Limitation on certain employee compensation.
- Sec. 4005. Continuation of certain air service.
- Sec. 4006. Coordination with Secretary of Transportation.
- Sec. 4007. Suspension of certain aviation excise taxes.
- Sec. 4008. Debt guarantee authority.
- Sec. 4009. Temporary Government in the Sunshine Act relief.
- Sec. 4010. Temporary hiring flexibility.
- Sec. 4011. Temporary lending limit waiver.
- Sec. 4012. Temporary relief for community banks.
- Sec. 4013. Temporary relief from troubled debt restructurings.
- Sec. 4014. Optional temporary relief from current expected credit losses.
- Sec. 4015. Non-applicability of restrictions on ESF during national emergency.
- Sec. 4016. Temporary credit union provisions.
- Sec. 4017. Increasing access to materials necessary for national security and pandemic recovery.
- Sec. 4018. Special Inspector General for Pandemic Recovery.
- Sec. 4019. Conflicts of interest.
- Sec. 4020. Congressional Oversight Commission.
- Sec. 4021. Credit protection during COVID-19.
- Sec. 4022. Foreclosure moratorium and consumer right to request forbearance.
- Sec. 4023. Forbearance of residential mortgage loan payments for multifamily properties with federally backed loans.
- Sec. 4024. Temporary moratorium on eviction filings.
- Sec. 4025. Protection of collective bargaining agreement.
- Sec. 4026. Reports.
- Sec. 4027. Direct appropriation.
- Sec. 4028. Rule of construction.
- Sec. 4029. Termination of authority.
- Subtitle B—Air Carrier Worker Support
- Sec. 4111. Definitions.
- Sec. 4112. Pandemic relief for aviation workers.
- Sec. 4113. Procedures for providing payroll support.
- Sec. 4114. Required assurances.
- Sec. 4115. Protection of collective bargaining agreement.

Sec. 4116. Limitation on certain employee compensation.

Sec. 4117. Tax payer protection.

Sec. 4118. Reports.

Sec. 4119. Coordination.

Sec. 4120. Direct appropriation.

TITLE V—CORONAVIRUS RELIEF FUNDS

Sec. 5001. Coronavirus Relief Fund.

TITLE VI-MISCELLANEOUS PROVISIONS

Sec. 6001. COVID-19 borrowing authority for the United States Postal Service.

Sec. 6002. Emergency designation

#### SECOND CORONAVIRUS RELIEF BILL:

HR.6201 - FAMILIES FIRST CORONAVIRUS RESPONSE ACT - PUBLIC LAW 116-127 - MARCH 18, 2020 - Passed US House on 03/14/2020 by vote of 363-40 - Passed US Senate on 03/18/2020 by vote of 90-8 - Signed by President on 03/18/2020 - PDF Document (43 pages) [this is the enrolled version as signed by the President - Public Law version not yet available]:

#### https://www.congress.gov/116/bills/hr6201/BILLS-116hr6201enr.pdf

CDCAN Note: Public Law Contains following major provisions: Second Coronavirus Preparedness and Response Supplemental Appropriations Act 2020; Nutrition Waivers; Emergency Family and Medical Leave Expansion Act; Emergency Unemployment Stabilization and Access Act 2020; Emergency Paid Sick Leave Act; Health Provisions; Emergency Paid Sick Leave Act; Tax Credits for Paid Sick and Paid Family Medical Leave; Budgetary Effects

#### FIRST CORONAVIRUS RELIEF BILL:

HR.6074 - CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020 - PUBLIC LAW 116–12 - MARCH 6, 2020 - Passed by US House on 03/04/2020 by voe of 415-2 - Passed US Senate on 03/05/2020 by vote of 96-1 - Signed by President on 03/06/2020 - PDF Document (13 pages):

https://www.congress.gov/116/plaws/publ123/PLAW-116publ123.pdf

CDCAN Note: Public Law Contains: Provides \$8.3 billion in emergency funding for federal agencies - including US Department of Health and Human Services - to respond to the coronavirus outbreak.

## LATEST INFORMATION AND UPDATES ON CORONAVIRUS DISEASE 2019 (COVID-19)

The following, compiled by CDCAN, are the links to State webpages with updates and guidance on COVID-19:

UPDATED - CALIFORNIA CORONAVIRUS (COVID-19) RESPONSE WEBSITE: https://covid19.ca.gov/

MARCH 22, 2020 - ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS - California Department of Public Health (State Public Health Officer) official document listing by "sector" (general work or employment area) the essential workers - including those who provide direct care supports to vulnerable populations (ie, people with disabilities, including developmental, mental health needs, older Californians, etc, and IHSS, child care workers and more) - March 22, 2020 - PDF Document (14 pages) - posted on the State's covid19 response website

https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf

DIRECTORY OF CALIFORNIA COUNTY DEPARTMENTS OF PUBLIC HEALTH - webpage:

https://www.cdph.ca.gov/Pages/LocalHealthServicesAndOffices.aspx

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH:

https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/ncov2019.aspx

GOVERNOR'S OFFICE OF EMERGENCY SERVICES:

https://www.caloes.ca.gov/

#### **OTHER INDIVIDUAL DEPARTMENTS:**

DEPARTMENT OF DEVELOPMENTAL SERVICES (DDS) (INCLUDES REGIONAL CENTERS)

https://dds.ca.gov/corona-virus-information-and-resources/

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (INCLUDES IHSS,

CALWORKS, COMMUNITY CARE LICENSING, CHILD WELFARE SERVICES) <a href="https://www.cdss.ca.gov/#covid19">https://www.cdss.ca.gov/#covid19</a>

CALIFORNIA DEPARTMENT OF EDUCATION (INCLUDES SPECIAL EDUCATION)

https://www.cde.ca.gov/ls/he/hn/coronavirus.asp

MARCH 18, 2020 - CALIFORNIA DEPARTMENT OF EDUCATION

POWERPOINT PRESENTATION - COVID-19 PUBLIC SCHOOL CLOSURES 
March 18, 2020 - Posted on webpage March 20, 2020 - Powerpoint document - 31 pages:

https://www.cde.ca.gov/ls/he/hn/documents/covid19guidancewebinar.pptx

CALIFORNIA DEPARTMENT OF AGING (CDA) (INCLUDES COMMUNITY-BASED ADULT SERVICES AND AREA AGENCIES ON AGING)
https://www.aging.ca.gov/

CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (INCLUDES MEDI-CAL)

https://www.dhcs.ca.gov/Pages/DHCS-COVID%E2%80%9119-Response.aspx

DEPARTMENT OF REHABILITATION (INCLUDES INDEPENDENT LIVING CENTERS):

https://www.dor.ca.gov/Home/COVID19DirectorMsg

FEDERAL INFORMATION:

FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION:

https://www.cdc.gov/coronavirus/2019-ncov/index.htm

#### MARTY OMOTO YOUTUBE CHANNEL

CDCAN youtube channel was set up to eventually have various videos covering issues important to people with disabilities, mental health needs, the blind, seniors and low income families and individuals. Currently videos posted are from past events or presentations.

To see the current videos, including March 2014 San Andreas Regional Center Aptos Legislative Breakfast, January 2014 panel discussion on services for adults with autism spectrum and related disorders in Palo Alto, and older videos including video of April 2003 march of over 3,000 people with developmental disabilities, families, providers, regional centers and others from the Sacramento Convention Center to the State Capitol (to attend and testify at budget hearing on proposed massive permanent cuts to regional center funded services, go to the CDCAN (Marty Omoto) Channel at:

https://www.youtube.com/channel/UCEySEyhnr9LQRiCe-F7ELhg

More videos – including new current videos (an interview with longtime advocate Maggie Dee Dowling is planned, among others) – plus archive videos of past events – will be posted soon.

#### **MARCH 27, 2020 - FRIDAY MORNING**



PLEASE CONSIDER HELPING AND SUPPORTING THE CONTINUING WORK OF CDCAN - YOUR HELP IS NEEDED!

CDCAN Townhall Telemeetings, CDCAN Reports and Alerts and other activities cannot continue without YOUR help. To continue the CDCAN website and the CDCAN Reports and Alerts sent out and read by over 65,000 people and organizations, policy makers and media across the State, and to continue and resume CDCAN Townhall Telemeetings, trainings and other events, please send your contribution/donation (please send to "CDCAN" or "California Disability Community Action Network" and mail to:

#### **CDCAN**

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NEW email address (replaced <u>martyomoto@rcip.com</u>): <u>martyomoto@att.net</u>

Many, many thanks to all the organizations and individuals for their continued support that make these reports and other CDCAN efforts possible! This report can be posted or re-produced without permission if full credit is given to CDCAN