



**Table of Provisions in COVID-19 Response Bills Contingent on a Public Health
Emergency Declaration Under Section 319 of the Public Health Service Act**

Coronavirus Preparedness and Response Supplemental Appropriations Act		
Section	Section Title	Description
102	Secretarial Authority to Temporarily Waive or Modify Application of Certain Medicare Requirements with Respect to Telehealth Services Furnished During Certain Emergency Periods	Allows Medicare providers to furnish telehealth services to beneficiaries regardless of whether the beneficiary is in a rural community and allows beneficiaries to receive care from physicians and other practitioners in their homes. This authority expires at the end of the public health emergency.

Families First Coronavirus Response Act		
Section	Section Title	Description
1101	Pandemic EBT	Allows the Department of Agriculture to approve state plans to provide emergency SNAP assistance to households with children who would otherwise receive free or reduced-price meals from a school that has been shuttered due to the public health emergency
2203	Physical Presence Waiver Under WIC During Certain Public Health Emergencies	Provides the Secretary of Agriculture with the authority to grant waivers to allow 4 participants to be certified for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) without being physically present at the WIC clinic during a public health emergency or an emergency or disaster declared under either the Stafford Act or the National Emergencies Act

2301	SNAP Flexibility for Low-Income Jobless Workers	Suspends the work and work training requirements for SNAP through the month following the termination of the public health emergency
2302	Additional SNAP Flexibilities in a Public Health Emergency	Allows states to request waivers from the Secretary to provide temporary, emergency benefits to existing SNAP households up to the maximum monthly allotment, as well as give the Secretary broad discretion to provide more flexibility for States in managing SNAP caseloads (but no staffing flexibility). This authority expires at the end of the public health emergency
6001	Coverage of Testing for COVID-19	Requires private health plans to provide coverage for COVID-19 diagnostic testing, including the cost of a provider, urgent care center and emergency room visits in order to receive testing at no cost to the consumer during a public health emergency or an emergency or disaster declared under either the Stafford Act or the National Emergencies Act
6002	Waiving Cost Sharing Under the Medicare Program for Certain Visits Relating to Testing for COVID-19	Requires Medicare Part B to cover beneficiary cost-sharing for provider visits during which a COVID-19 diagnostic test is administered or ordered for the duration of the public health emergency or the emergency or disaster declared under either the Stafford Act or the National Emergencies Act

6003	Coverage of Testing for COVID-19 at No Cost Sharing Under the Medicare Advantage Program	Requires Medicare Advantage to provide coverage for COVID-19 diagnostic testing, including the associated cost of the visit in order to receive testing, at no cost to the beneficiary, until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
6004	Coverage at No Cost Sharing of COVID-19 Testing under Medicaid and CHIP	Requires Medicaid to provide coverage for COVID-19 diagnostic testing at no cost to the beneficiary and allows states the option to extend Medicaid eligibility to uninsured populations for COVID-19 diagnostic testing until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
6006	Application with Respect to Tricare, Coverage for Veterans, and Coverage for Federal Civilians	Ensures that individuals enrolled in TRICARE, covered veterans, and federal workers have coverage for COVID-19 diagnostic testing without cost-sharing until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
6007	Coverage of Testing for COVID-19 at no Cost Sharing for Indians Receiving Purchased/Referred Care	Requires that American Indians and Alaskan Natives not face cost sharing for COVID-19 testing, including those referred for care away from an Indian Health Service or tribal health care facility until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted

6008	Temporary Increase of Medicaid FMAP	Provides a temporary increase to states' federal medical assistance percentage for the duration of the public health emergency for COVID-19 until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
------	-------------------------------------	--

Coronavirus Aid, Relief, and Economic Security (CARES) Act		
Section	Section Title	Description
3112	Additional Manufacturer Reporting Requirements in Response to Drug Shortages	Requires manufacturers to notify HHS of any interruption in production of drugs critical to the public health emergency
3121	Discontinuance or Interruption in the Production of Medical Devices	Requires manufacturer notification to HHS of interruption in production of devices critical to the public health emergency
3202	Pricing of Diagnostic Testing	Stipulates that if health plans and providers had negotiated a rate for COVID-19 diagnostic testing before the public health emergency, that price continues through the end of the public health emergency. Otherwise providers are required to publish a cash price for the test on the internet and charge plans no more.
3215	Limitation on Liability for Volunteer Health Care Professionals During Covid-19 Emergency Response	Removes liability, with exceptions, for volunteer healthcare workers providing services during the declared public health emergency
3216	Flexibility for Members of National Health Service Corps During Emergency Period	Allows HHS to assign NHSC members to provide services as necessary to respond to the public health emergency for the period of the emergency

3222	Nutrition Services	Gives states flexibility to transfer money between congregate and home-delivered nutrition services provided to area agencies on aging, revises home delivery criteria to include those stuck at home due to social distancing for the period of the public health emergency.
3223	Continuity of Service and Opportunities for Participants in Community Service Activities Under Title V of the Older Americans Act of 1965	Allows HHS to amend program requirements related to community service opportunities in the Older Americans Act for the duration of the emergency.
3224	Guidance on Protected Health Information (PHI)	Requires HHS to issue guidance on sharing of PHI during the public health emergency (as well as with respect to the emergencies declared by the President under the Stafford Act and National Emergencies Act)
3226	Importance of the Blood Supply	Directs HHS to carry out an awareness campaign about the importance of blood donation for the period of the declared public health emergency
3607	Expansion of DOL Authority to Postpone Certain Deadlines	Allows DOL to extend any deadline for ERISA plans by up to 1 year if it comes up during the declared public health emergency

3704	Enhancing Medicare Telehealth Services for Federally Qualified Health Centers and Rural Health Clinics During Emergency Period	Allows Federally Qualified Health Centers and Rural Health Clinics to serve as a distant site for telehealth consultations, allows FQHCs and RHCs to furnish telehealth services to beneficiaries in their home, and reimburses for these telehealth services based on payment rates similar to the national average payment rates for comparable telehealth services under the Medicare Physician Fee Schedule, until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
3705	Temporary Waiver of Requirements for Face-to-Face Visits Between Home Dialysis Patients and Physicians	Eliminates a requirement during the COVID-19 emergency period that a nephrologist conduct some of the periodic evaluations of home dialysis patients face-to-face until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
3706	Use of Telehealth to Conduct Face-to-Face Encounter Prior to Recertification of Eligibility for Hospice Care During Emergency Period	Allows qualified providers to use telehealth technologies in order to fulfill the hospice face-to-face recertification requirement until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
3707	Encouraging use of Telecommunications Systems for Home Health Services Furnished During Emergency Period	Requires Health and Human Services (HHS) to issue guidance on the use of telehealth to furnish home health services consistent with the beneficiary care plan until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted

3710	Medicare Hospital Inpatient Prospective Payment System Add-On Payment for COVID-19 Patients During Emergency Period	Increases the Medicare payment to a hospital for treating a patient admitted with COVID-19 by 20 percent until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
3711	Increasing Access to Post-Acute Care During Emergency Period	Provides acute care hospitals flexibility to transfer patients out of their facilities and into alternative care settings to prioritize resources for COVID-19 patients
3712	Revising Payment Rates for Durable Medical Equipment Under the Medicare Program Through Duration of Emergency Period	Prevents scheduled reductions in Medicare payments for durable medical equipment until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
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	Requires that Medicare Part D plans provide up to a 90-day supply of a prescription medication if requested by a beneficiary until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
3719	Expansion of the Medicare Hospital Accelerated Payment Program During the COVID-19 Public Health Emergency	Allows qualified facilities to request up to a six month advanced payment based on net reimbursement--hospital types could elect to receive up to 100 percent of the prior period payments, with Critical Access Hospitals able to receive up to 125 percent-- until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted

4003	Emergency Relief and Taxpayer Protections	The CARES Act establishes a Federal Reserve window for mid-size (500-10,000 employees) businesses. Recipients must make a good faith declaration that they intend to bring at least 90% of their workforce back at their previous compensation within 4 months of the termination of the public health emergency
15003	Administrative Provision - General Services Administration	Requires the GSA Administrator to notify Congress at least 3 days before awarding a contract in response to the public health emergency through a non-competitive process
15010	Pandemic Response Accountability Committee	The "coronavirus response" that the committee is charged with examining is defined as the period of the declared public health emergency
Division B, Title XII	Federal Transit Administration - Transit Infrastructure Grants	Provides \$25 billion for grants to local transit agencies to respond to the pandemic during the declared public health emergency

Paycheck Protection Program and Health Care Enhancement Act		
Section	Section Title	Description
Division B, Title I	Public Health and Social Services Emergency Fund	HHS is required to submit monthly reports to congress on testing efforts until 30 days after the end of the public health emergency

Addendum: Provisions in the HEROES Act Contingent on a Public Health Emergency Declaration

Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act		
Section	Section Title	Description
30101	COVID-19 Related Temporary Increase of Medicaid FMAP	Increases additional FMAP to 14% and extends FMAP increase until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted, decreasing to 6.2% if any of the emergencies last beyond June 30, 2021
30102	Limitation on Additional Secretarial Action with Respect to Medicaid Supplemental Payments Reporting Requirements	Prevents the Secretary of Health and Human Services (HHS) from finalizing the Medicaid Fiscal Accountability Regulation (MFAR) until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
30103	Additional Support for Medicaid Home and Community Based Services During the COVID-19 Emergency Period	Increases the federal payments to state Medicaid programs by an additional 10 percentage points starting July 1, 2020 through June 30, 2021 to support activities that strengthen their home- and community-based services (HCBS) benefit, with the eligible uses of funds changing if June 30, 2021 falls beyond the end of each of the ongoing public health, Stafford Act, and National Emergencies Act emergencies.
30104	Coverage at no Cost Sharing of COVID-19 Vaccine and Treatment	Eliminates cost sharing for Medicaid beneficiaries for COVID-19 treatment and vaccines until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted

30201	Holding Medicare Beneficiaries Harmless for Specified COVID-19 Treatment Services Furnished Under Part A or Part B of the Medicare Program	Establishes zero cost-sharing for COVID-19 treatment under Medicare Parts A and B until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
30202	Ensuring Communications Accessibility for Residents of Skilled Nursing Facilities During the COVID-19 Emergency Period	Requires that skilled nursing facilities provide a means for residents to conduct “televisitation” with loved ones while in-person visits are not possible until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
30203	Medicare Hospital Inpatient Prospective Payment System Outlier Payments for COVID-19 Patients During Certain Emergency Period	Provides an outlier payment for inpatient claims for any amount over the traditional Medicare payment to cover excess costs hospitals incur for more expensive COVID-19 patients until January 31, 2021 or until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted, whichever comes sooner
30204	Coverage of Treatments for COVID-19 at No Cost Sharing Under the Medicare Advantage Program	Establishes zero cost-sharing for COVID-19 treatment under Medicare Advantage until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted

30205	Requiring Coverage Under Medicare PDPs and MA-PD Plans, Without the Imposition of Cost Sharing or Utilization Management Requirements, Of Drugs Intended to Treat COVID-19 During Certain Emergencies	Requires that PDPs and MA-PD plans cover drugs for COVID-19 at no cost sharing for any plan year that overlaps with the public health emergency
30206	Modifying the Accelerated and Advance Payment Programs Under Parts A and B of the Medicare Program During the COVID-19 Emergency	Lowers the interest rate for loans to Medicare providers made under the Accelerated and Advance Payment Program until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted , reduces the per-claim recoupment percentage, and extends the period before repayment begins.
30207	Medicare Special Enrollment Period for Individuals Residing in COVID-19 Emergency Areas	Creates a new special enrollment period for Medicare Parts A & B eligible individuals until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
30208	COVID-19 Skilled Nursing Facility Payment Incentive Program	Provides incentives for nursing facilities to create COVID-19-specific facilities
30210	Providing for Infection Control Support to Skilled Nursing Facilities through Contracts with Quality Improvement Organizations	Requires the Secretary of HHS to provide additional assistance to facilities struggling with infection control through Medicare's Quality Improvement Organizations

30213	Risk Corridor Program for Medicare Advantage Plans	Requires the HHS Secretary to establish a risk corridor program for MA plans, continuing until the end of the year in which the last of the ongoing public health, Stafford Act, and National Emergencies Act emergencies has been lifted
30303	Coverage of COVID-19 Related Treatment at no Cost-Sharing	Requires coverage of items and services related to the treatment of COVID-19 in group and individual market health plans and waives cost-sharing requirements for consumers until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
30304	Requiring Prescription Drug Refill Notifications During Emergencies	Requires group and individual market health plans to notify consumers if their plan permits advance prescription drug refills during a public health emergency as well as either a Stafford Act or National Emergencies Act
30534	Strategic National Stockpile Action Reporting	Requires the SNS to report to Congress monthly about every request made to the SNS during the COVID-19 public health emergency and details regarding the outcomes of every request until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
30541	COVID-19 Testing Strategy	Requires HHS to release a detailed COVID-19 testing plan, and update it every 30 days until the end of the public health emergency

30611	Health Care Provider Relief Fund	Defines terms of funding distributed under provider relief fund, including that no provider can balance bill for services related to COVID-19 provided before either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
30632	Centers for Disease Control and Prevention COVID-19 Response Line	Requires CDC to establish, for the duration of the public health emergency , a toll-free hotline to address COVID-19 questions
30634	Grants to Support Increased Behavioral Health Needs Due to COVID-19	Provides SAMHSA \$50 million to make grants to address "behavioral health needs caused by the public health emergency." Unclear whether those funds could be allocated to address such needs after the expiration of the emergency
60304	Support for Farm Stress Programs	Provides \$28 million to be distributed as block grants to State departments of agriculture for use to support existing farm stress programs and requires a report to Congress within 180 days of the termination of the public health emergency
60603	SNAP Nutrition Education Flexibility	Allows funds under the SNAP nutrition and obesity prevention grant program to be used in non-congregate settings under FNS's commodity distribution and child nutrition programs. This authority expires 30 days following the termination of the public health emergency
60604	Flexibilities for Senior Farmers' Market Program	Provides additional administrative flexibilities for the Senior Farmers Market Nutrition Program effective through 30 days after the termination of the public health emergency

60605	Flexibilities for the Food Distribution Program on Indian Reservations	Provides flexibilities for the Food Distribution Program on Indian Reservations for beneficiaries without access to approved retail food stores due to COVID-19. These flexibilities expire 30 days after the termination of the public health emergency.
60607	SNAP Hot Food Purchases	Allows SNAP funds to be used to purchase hot food for all beneficiaries, not just elderly and people with disabilities, until the end of the public health emergency.
70401	Mandatory Telework	Requires OMB to direct agencies to shift contractors to telework to the maximum extent possible for the duration of the public health emergency
70404	Accelerated Payments	Requires that contracting officers pay prime contractors within 15 days of the submission of an invoice during the public health emergency
70602	Waiver of Matching Funds Requirement for the Drug Free Communities Support Program	Allows the Administrator of the Office of National Drug Control Policy to modify or waive the matching requirements for Drug Free Community Program grants for the duration of the public health emergency.
80002	Increase of Amount of Certain Department of Veterans Affairs Payments During Emergency Period Resulting from COVID-19 Pandemic	Increases by 25% the amount being paid to disabled veterans to assist with daily activities including purchase of personal protective equipment for veterans and their caregivers or home health aides until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted

80005	Emergency Treatment for Veterans During COVID-19 Emergency Period	Grants prior authorization for any emergency care sought by veterans at non-VA hospitals, including COVID-19-related diagnosis and treatment, and ambulance transportation for the duration of either the public health emergency or a "domestic emergency" as declared by the President, DHS Secretary, or state or local officials
80012	Deferral of Certain Debts Arising from Benefits Under Laws Administered by the Secretary of Veterans Affairs	Prohibits the Secretary from taking enforcement actions to collect payments for benefit debts, establishing new benefit debts, sending notices regarding benefit debts to individuals or consumer reporting agencies, allowing interest to accrue on benefit debts, or applying administrative fees on benefit debts until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted and for 60 days following
80013	Tolling of Deadlines Relating to Claims for Benefits Administered by Secretary of Veterans Affairs	Extends the deadline for veterans to file claims and appeals for VA benefits, including disability compensation, until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted, and for 90 days following
80014	Provision of Department of Veterans Affairs Hospital Care and Medical Services to Certain Veterans who are Unemployed or Lost Employer-Sponsored Health Care Coverage by Reason of a Covered Public Health Emergency	Authorizes veterans without a disability but determined to have a financial hardship to qualify for enrollment in VA's health care system, and be exempt from payment of hospital and medical care copays for the duration of the public health emergency or a "domestic emergency" as declared by the President, DHS Secretary, or state or local officials

80015	Expansion of Vet Center Services to Veterans and Members of the Armed Forces who Perform Certain Service in Response to Covered Public Health Emergency	Establishes zero cost-sharing (out-of-pocket costs) for COVID-19 treatment under the Department of Veterans Affairs health plans for the duration of the public health emergency or a "domestic emergency" as declared by the President, DHS Secretary, or state or local officials
110101	Emergency Medical Supplies Enhancement	Enhances authorities under the Defense Production Act to compel production of critical medical supplies. Gives HHS Sec and FEMA administrator independent authority with respect to the DPA for the duration of a public health emergency
120401	Matching Funds Waiver for Formula Grants and Subgrants Under the Family Violence Prevention and Services Act	Waives the matching requirement for grantees and subgrantees under the Family Violence Prevention and Services Act (FVPSA) for the duration of the public health emergency.
130102	Prevention of Price Gouging	Bans price gouging related to the pandemic during the public health emergency
130201	E-Rate Support for Wi-Fi Hotspots, Other Equipment, and Connected Devices During Emergency Periods Relating to COVID-19	Provides \$5 billion for the purchase internet service and connected devices through the E-Rate Program during the public health emergency to help students and teachers succeed through distance learning
130301	Benefit for Broadband Service During Emergency Periods Relating to COVID-19	Entitles households where a member has been laid off to a \$50 monthly discount on internet service for the duration of the public health emergency and for 6 months thereafter. Authorizes \$9 billion to reimburse providers for this discount through the FCC.

130302	Enhanced Lifeline Benefits During Emergency Periods	Requires that Lifeline providers make unlimited minutes and unlimited data available to those that rely on the Lifeline program to stay connected to phone or internet service for the duration of the public health emergency, and for 6 months after
130401	Continued Connectivity During Emergency Periods Relating to COVID-19	Prohibits broadband and telephone providers from terminating service or limiting data due to a customer's inability to pay their bill because of financial hardships caused by the COVID-19 pandemic for the duration of the public health emergency
130801	Expansion of Rural Health Care Program of FCC in Response to COVID-19	Temporarily expands the FCC's Rural Health Care Program (RHCP), authorizing \$2 billion and requiring the loosening of regulations, to partially subsidize their health care providers' broadband service until either the money is expended, 60 days have passed since the end of the public health emergency, or 9 months have passed since the bill was enacted
170102	Pandemic Premium Pay for Essential Workers	Provides hazard pay of \$13 additional per hour up to \$10,000 to essential workers (defined as those performing work involving regular, in-person contact with patients, the public, or coworkers in an industry deemed essential by local, state, or federal officials) for hours worked between the beginning of and 60 days after the end of the public health emergency

170202	Pandemic Duty Differential	Provides hazard pay up to \$10,000 for essential federal workers to be paid based on criteria to be developed by OPM for work during and within 60 days of the termination of the public health emergency
180002	Emergency Costs for Child Nutrition Programs During COVID-19 Pandemic	Provides emergency funding to the school meal and child adult care food programs (up to 55% of 8 weeks of pre-pandemic operational costs) to help cover operational expenditures incurred during the public health emergency
180005	WIC Benefit Flexibility During COVID-19 Act	Allows the Secretary of Agriculture to increase the value of the WIC Cash Value Voucher from \$9 for children and \$11 for women per month to \$35 per month for women and children through the earlier of the end of the public health emergency or 9/30/20
190701	Home Energy and Water Service Continuity	Requires states and utilities receiving federal emergency funds to adopt or maintain policies to prevent shutoffs of home energy and water services to residential customers until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted
190704	Home Water Service Continuity	Ensures that all occupied residences are connected to water services and any reconnections are conducted in a manner that minimizes health risks and that providers are prohibited from assessing late fees until either the ongoing public health emergency or both the ongoing Stafford Act and National Emergencies Act emergencies have been lifted

191201	Extension of Filing and Other Deadlines	Extends many immigration deadlines and due dates that come due during the public health emergency; also maintains legal status for anybody whose status expires during the public health emergency or within 90 days of its termination.
191203	Temporary Protections for Essential Critical Infrastructure Workers	Provides temporary protections to undocumented workers in the United States engaged in essential critical infrastructure work from deportation and provides authorization by default for such workers until 90 days following the end of the public health emergency
191204	Supplementing the COVID Response Workforce	Eases certain immigration-related restrictions to allow immigrant physicians and other critical healthcare workers to better assist in the fight against COVID-19 by fast-tracking visa applications, opening green card applications, loosening sponsor requirements, and providing temporary work authorizations. All of these provisions expire 180 days after the termination of the public health emergency.
191205	ICE Detention	Requires ICE to provide detainees with phone and email communications at no cost, provide hygiene products, and access to NGO 'know-your-rights' programming during the public health emergency and for 90 days thereafter