

NACo BRIEF: COMPARISON OF LEGISLATION TO ADDRESS THE COVID-19 PANDEMIC

May 4, 2020

Over the past several weeks, Congress and the White House moved quickly to implement the federal response to the novel coronavirus (COVID-19) pandemic through multiple “phases” of legislation: the *Coronavirus Preparedness and Response Supplemental Appropriations Act* ([P.L. 116-123](#)), the *Families First Coronavirus Response Act* (FFCRA; [P.L. 116-127](#)), the *Coronavirus Aid, Relief and Economic Security (CARES) Act* ([P.L. 116-136](#)), and the *Paycheck Protection Program and Health Care Enhancement Act* ([P.L. 116-139](#)).

The charts below offer a **side-by-side comparison** of provisions impacting key county priorities:

- [Community and Economic Development](#)
- [The Health and Human Services Safety Net](#)
- [Testing and Prevention](#)

Community and Economic Development

Provision	<i>Coronavirus Preparedness and Response Supplemental Appropriations Act</i>	<i>Families First Coronavirus Response Act</i>	<i>Coronavirus Aid, Relief and Economic Security Act</i>	<i>Paycheck Protection Program and Health Care Enhancement Act</i>
Coronavirus relief fund for counties, cities and states	Not included	Not included	Division B, Title VI. Establishes a \$150 billion Coronavirus Relief Fund for state, tribal and local governments incurred due to the COVID-19 public health emergency. Of the \$150 billion, each state shall receive no less than \$1.25 billion, with additional funding being allocated based on each state's proportion of the U.S. population. <i>Note: only counties with population above 500,000 are eligible, funding may not be used for lost revenue.</i>	Not included
Increased funding for Community Development Block Grant (CDBG) program	Not included	Not included	Division B, Title XII. The bill commits \$5 billion to CDBG and would provide \$2 billion in direct funding to states and localities under the CDBG program's current formula, helping support counties with recovery activities.	Not included

Housing and homelessness	Not included	Not included	Division B, Title XII. Allots \$7 billion for affordable housing and homeless assistance programs to help low-income individuals avoid evictions and minimize the impacts caused by unemployment.	Not included
Paid sick and family medical leave	Not included	Divisions C (Sec. 3102) and D (Sec. 4102). The FFCRA legislation contains two separate laws that establish new paid family and sick leave obligations on employers with more than 500 employees, including 1) the <i>Emergency Family Medical Leave Expansion Act</i> (EFMLEA) and the <i>Emergency Paid Sick Leave Act</i> (EPSLA). <i>Note: county governments subject to requirements, not eligible for payroll tax credits</i>	Not included	Not included
Unemployment Insurance	Not Included	Division D, Sec. 4102: Provides \$1 billion for states to provide unemployment benefits to laid off and furloughed workers, as well as to workers who exhaust their allotted paid leave. It	Division A, Title II. Contains new supports for individuals who become unemployed as a result of COVID-19, including new pandemic UI, increased unemployment compensation benefits and	Not Included

		also funds activities related to processing and paying (UI) benefits.	added flexibility for states to hire temporary staff to process unemployment applications and claims.	
Funding for critical community and economic development programs	Division A, Title II. Adds \$20 million in supplemental appropriations through FY 2020 to the Small Business Administration (SBA) to assist businesses affected by the outbreak.		Division A, Title I. Directs \$349 billion in loan guarantees through the U.S. Small Business Administration (SBA).	Division A, Sec. 101. Provides \$320 billion to replenish the Small Business Administration's (SBA) Paycheck Protection Program (PPP), a loan initiative aimed at helping small businesses weather the economic fallout from the COVID-19 response.

Health and Human Services Safety-Net

Provision	<i>Coronavirus Preparedness and Response Supplemental Appropriations Act</i>	<i>Families First Coronavirus Response Act</i>	<i>Coronavirus Aid, Relief and Economic Security Act</i>	<i>Paycheck Protection Program and Health Care Enhancement Act</i>
County hospitals	Not included	Not included	Division B, Title VIII. Includes \$100 billion to reimburse, through grants or other mechanisms, eligible health care providers for health care related expenses or lost revenues that are attributable to coronavirus.	Division B, Title I. Provides an additional \$75 billion to support local hospitals and health care providers by providing reimbursements for COVID-19 related expenses, lost revenue and public health services for uninsured Americans who have been infected by COVID-19.
Medicaid and Medicare	Division B, Title V, Sec. 101. Waives certain telehealth requirements during the COVID-19 public health emergency to allow Medicare providers to administer telehealth services to elderly patients.	Division F, Sec. 6008. Increases by 6.2 percent the Federal Medical Assistance Percentage (FMAP) that the federal government provides to state and territorial Medicaid programs, helping prevent cuts to Medicaid benefits in response to increased demand for services.	Division A, Title III. Extends key Medicaid programs, including a delay in funding cuts for the Disproportionate Share Hospital (DSH) program until FY 2021 and an extension of the Money Follows the Person (MFP) demonstration program through the end of FY 2020.	Not included

Mental and behavioral health services	Division A, Title III. Provides \$100 million in supplemental FY 2020 funding for Community Health Centers (CHC).	Not included	Division A, Title III. Extends the Community Mental Health Services (CMHS) demonstration program through November 30, 2020.	Not included
Nutrition assistance	Not included	Division B, Title I. Adds a combined \$1 billion to provide nutritious foods to low-income pregnant women and mothers with young children, help food banks and provide meals to seniors. Provides new flexibilities for SNAP and child nutrition programs	Division B, Title I. Adds \$15.5 billion in additional funding for the Supplemental Nutrition Assistance Program (SNAP) to support states and localities in deploying program flexibilities and meeting growing need for food assistance as a result of coronavirus.	Not included
Temporary Assistance for Needy Families (TANF) Extension	Not included	Not included	Division A, Title III. Delays the expiration of TANF from May 22, 2020 to November 30, 2020, providing important short-term certainty for county human services agencies and helping vulnerable county residents maintain access to this safety net program.	Not included

Supports for children and families	Not included	Not included	Division B, Title VIII. Provides \$6.3 billion in supplemental funding for programs under the Administration for Children and Families, including child care and early learning, child welfare services, home energy assistance and community services	Not included
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Testing and Prevention				
Provision	<i>Coronavirus Preparedness and Response Supplemental Appropriations Act</i>	<i>Families First Coronavirus Response Act</i>	<i>CARES Act</i>	<i>Paycheck Protection Program and Health Care Enhancement Act</i>
Increased access to personal protective equipment (PPE) for state and local law enforcement officials	Not included	Not included	Division B, Title II. The bill adds \$850 million to the Byrne JAG program to help enable counties, among other eligible entities, to address the COVID-19 pandemic.	Not included
Emergency response resources	Not included	Not included	Division B, Title VI. Commits \$45 billion to FEMA's Disaster Relief Fund to provide for the immediate needs of state, local and tribal governments to cover the costs of medical response, personal protective equipment (PPE), deployment of the National Guard, community services and other activities.	Not included
Improving testing and treatment capacity	Division A, Title III. Provides \$3 billion in funding for research and development of COVID-19 vaccines and diagnostic tools.	Division F, Title V, Sec. 6001. Ensures access to testing for all individuals, including those with private insurance, Medicare Medicaid, CHIP, VA, FEHBP and TRICARE, as well as	Division A, Title VIII. Commits \$100 billion in funding for local hospitals to address medical surge capacity issues and offset the cost of increased	Division B, Title I. Provides \$25 billion for "necessary expenses to research, develop, validate, manufacture, purchase, administer and expand capacity for COVID-19 tests"

		the uninsured, helping mitigate costs for county hospitals and clinics, as well as broader county public health services.	healthcare related expenses and lost revenue.	to help effectively monitor and suppress the COVID-19 pandemic.
Preparedness and emergency response resources	Division A, Title III: Adds \$2.2 billion in public health funding to support prevention, preparedness and response efforts, including a \$1 billion set-aside for State and Local Preparedness Grants to support states, cities and tribes.	Not included	Division A, Title III. Adds \$16 billion in funding to improve availability of personal protective equipment (PPE) through the Strategic National Stockpile, which serves as the nation's largest supply of life-saving pharmaceuticals and medical supplies for use in a public health emergency.	Not included