



DAILY COVID-19 UPDATE

April 8, 2020

WHAT HAPPENED TODAY

Earlier today, Senate Majority Leader Mitch McConnell (R-KY) sought unanimous consent that would allow the Senate on Thursday, April 9th, to introduce, call up and pass, by voice vote, a bill that would provide an additional \$250 billion for the paycheck protection program.

Speaker Pelosi and Senate Minority Leader Schumer issued a [joint statement](#) on Democrats' priorities in Republicans' small business bill. Among other things, they are calling for \$100 billion for hospitals, community health centers and health systems, providing desperately needed resources to the frontlines of this crisis, including production and distribution of national rapid testing and Personal Protective Equipment (PPE).

Since our last update, the Centers for Medicare & Medicaid Services published additional guidance. Please see below for more details.

LATEST PMJ RESOURCES

- [COVID Legislative Outlook](#)
- [Drug Shortage and Medical Supply Chain Tracker](#)
- [COVID-19 Travel Restrictions](#)
- [COVID-19 Legislation Tracking Chart](#)
- [Global COVID-19 Export Controls](#)
- [Memo - Federal Reserve COVID-19 Announcements](#)

ECONOMIC UPDATE

Congressional

- **House**

- Speaker Nancy Pelosi (D-CA) and Senate Minority Leader Chuck Schumer (D-NY) issued a [joint statement](#) on interim emergency coronavirus relief.
- Small Business Committee Chairwoman Nydia Velazquez (D-NY) [sent a letter](#) to Treasury Secretary Mnuchin and SBA Administrator Carranza echoing complaints regarding PPP and EIDL program implementation.

Most of the complaints in the letter are about logistical issues (e.g., wait times, IT issues).

- Financial Services Committee Chairwoman Maxine Waters (D-CA) [applauded](#) the World Bank capital increase included in the COVID-19 package.
- Financial Services Committee Chairwoman Maxine Waters (D-CA) [led a letter](#) to Joseph Otting, Comptroller of the Currency, and Jelena McWilliams, Chairman of the Federal Deposit Insurance Corporation, urging them to prioritize a strong response to the COVID-19 pandemic and suspend efforts to revise the Community Reinvestment Act (CRA) and any unrelated rulemakings. The letter was signed by every Democrat on the Committee.
- **Senate**
 - Senate Majority Leader Mitch McConnell (R-KY) [sought](#) unanimous consent that would allow the Senate to break in to the Pro Forma session scheduled for Thursday, April 9th, to introduce, call up and pass, by voice vote, a bill that would provide an additional \$250 billion for the paycheck protection program. Read the bill [here](#).
 - Banking Committee Chair Mike Crapo (R-ID) issued an update on the Paycheck Protection Program. Chairman Crapo also sent a letter to the banking regulators, encouraging them to look for more ways to help strengthen the Paycheck Protection Program, right-size regulations to promote lending, and provide the Banking Committee with statutory changes and recommendations necessary to stabilize markets and expand lending during the COVID-19 crisis. Crapo's letter to Treasury and the SBA can be accessed [here](#). Crapo's letter to the banking regulators can be accessed [here](#).

Administration

- Office of Management and Budget
 - Please see the attached [letter](#) from Acting Director Russ Vought requesting additional amounts for the Paycheck Protection Program.
- Federal Reserve
 - Due to the extraordinary disruptions from the coronavirus, the Federal Reserve Board on Wednesday [announced](#) that it will temporarily and narrowly modify the growth restriction on Wells Fargo so that it can provide additional support to small businesses. The change will only allow the firm to make additional small business loans as part of the Paycheck Protection Program, or PPP, and the Federal Reserve's forthcoming Main Street Lending Program.
- Consumer Financial Protection Bureau (CFPB)
 - The federal financial institution regulatory agencies (the agencies), in consultation with state financial regulators, [issued a revised interagency statement](#) encouraging financial institutions to work constructively with borrowers affected by COVID-19 and providing additional information regarding loan modifications. The revised statement also provides the agencies' views on consumer protection considerations.
- Treasury
 - Treasury updated the PPP [FAQs](#).

Articles of Interest

- 4/8 Bloomberg published an article titled, ["Fed to Give Details on Mid-Size Business Lending This Week."](#)
- 4/8 Politico published an article titled, ["Mnuchin hopes to unveil 'Main Street' lending facility this week."](#)
- 4/7 Bloomberg published an article titled, ["Trump Team Preps Plans to Reopen Economy That Depend on Testing."](#)
- 4/7 The Wall Street Journal published an article titled, ["Fannie, Freddie Unlikely to Aid Mortgage Companies as Payments Dry Up, FHFA Chief Says."](#)
- 4/7 The Wall Street Journal published an article titled, ["Lawmakers, White House Vow to Quickly Provide More Small-Business Loans."](#)

PUBLIC HEALTH UPDATE

Congressional

- **House**
 - Rep. Pocan sent a [letter](#) to HHS Secretary Azar and FDA Commissioner Hahn regarding possible shortages of drugs for treating COVID-19 patients.
 - Reps. Thompson and Maloney sent a [letter](#) to FEMA Administrator Gaynor regarding coronavirus response supply chain issues for PPE and other essential medical supplies and equipment, including ventilators.
 - Ways and Means Republicans published a [blog post](#) outlining ways in which the Trump administration is supporting doctors as they fight the coronavirus.
 - Reps. Gallego and Cisneros introduced [legislation](#) to cover all coronavirus treatment and testing through Medicaid.
 - Reps. Schakowsky, Huffman, DeGette sent a [letter](#) to HHS Secretary Azar, urging him to remove barriers to COVID-19 research.
- **Senate**
 - Sens. Cassidy and Shaheen led 33 of their colleagues in a bipartisan [letter](#) to HHS Secretary Azar and CMS Administrator Verma, urging the administration to modify or waive the 10.25% interest rate tied to Medicare's Accelerated and Advance Payments Program.
 - Sen. Hassan led 15 of her Democratic colleagues in a [letter](#) to President Trump urging the administration to enforce stronger policing of personal protective equipment (PPE) price gougers and counterfeiters and also urging the administration to create a standard process for states and local governments to purchase PPE so they don't have to compete with one another.
 - Sens. Markey, Durban, and Duckworth sent a [letter](#) to CMS Administrator Verma and HHS Assistant Secretary for Health Giroir, urging them to ease requirements associated with the Clinical Laboratory Improvement Amendments and issue new guidance that would allow labs to more rapidly scale up testing and deploy more personnel.
 - 17 Senators sent a [letter](#) to CDC Director Redfield seeking a report on all available information about who is able to access COVID-19 tests.
 - Seven Democratic Senators sent a [letter](#) to Vice President Pence and HHS Secretary Azar regarding distribution of hospital funding.

Administration

- Centers for Medicare & Medicaid Services

- CMS issued a series of [updated guidance documents](#), based on CDC guidelines, focused on infection control to prevent the spread of the 2019 Novel Coronavirus (COVID-19) in a variety of inpatient and outpatient care settings. The guidance will help ensure infection control in the context of patient triage, screening and treatment, the use of alternate testing and treatment sites and telehealth, drive-through screenings, limiting visitations, cleaning and disinfection guidelines, staffing, and more.
- CMS released [guidance](#) on the Medicaid Federal Medical Assistance Percentage (FMAP) increase included in the Families First Coronavirus Response Act (FFCRA), which provides a temporary 6.2 percentage point increase for states and territories.
- At a Coronavirus Task Force briefing yesterday, CMS Administrator Verma said clinicians will see \$30 billion of the \$100 billion emergency provider relief fund from the CARES Act [distributed this week](#). The grant money will be distributed based on providers' Medicare revenue and will come with no strings attached. Verma also acknowledged certain providers, like children's hospitals or some nursing homes, receive most of their money from other payers and said those providers will be a priority in a second batch of funding that will come later.
- CMS approved and delivered [\\$34 billion in funding](#) for healthcare providers on the frontlines of the pandemic through the Accelerated and Advance Payment Program.
- CMS posted a [letter](#) to America's clinicians providing a summary of actions the agency has taken to ensure clinicians have maximum flexibility to reduce unnecessary barriers to providing patient care during the unprecedented outbreak of COVID-19. The summary includes information about telehealth and virtual visits, accelerated and advanced payments, and recent waiver information.
- CMS updated [recommendations](#) to postpone non-essential surgeries and other procedures to conserve critical healthcare resources and limit exposure of patients and staff to COVID-19.
- Food and Drug Administration
 - FDA issued a [warning letter](#) to a company that markets fraudulent and dangerous chlorine dioxide products known as "Miracle Mineral Solution" for prevention and treatment of COVID-19.

Articles of Interest

- 4/6 NPR published an article titled, "[Promising Drug On The Horizon For COVID-19.](#)"
- 4/7 Modern Healthcare published an article titled, "[Verma: \\$30 billion in CARES Act grants will be distributed starting 'this week.'](#)"
- 4/8 The Hill published an article titled, "[Hospitals face shortage of drugs for ventilators.](#)"
- 4/8 CNBC published an article titled, "['Now is not the time': WHO responds to Trump's threat to cut funding.](#)"
- 4/8 Politico published an article titled, "[Kushner's team seeks national coronavirus surveillance system.](#)"
- 4/8 The Hill published an article titled, "[Fauci: 'Looks like' US deaths will be lower than original projection.](#)"

LABOR UPDATE

Administration

- Department of Labor
 - DOL's Occupational Safety and Health Administration (OSHA) issued [a reminder](#) that it is illegal for employers to retaliate against workers because they report unsafe and unhealthful working conditions during the coronavirus pandemic, including terminations, demotions, denials of overtime or promotion, or reductions in pay or hours.

SUPPLY CHAIN/CRITICAL INFRASTRUCTURE UPDATE

Administration

- Department of Homeland Security
 - The Department of Homeland Security (DHS) Cybersecurity and Infrastructure Security Agency (CISA) and the United Kingdom's National Cyber Security Centre (NCSC) issued a joint [cyber alert](#) on the exploitation of the current COVID-19 global pandemic by cybercriminal and advanced persistent threat (APT) groups. The alert provides an overview of phishing, malicious sites, and COVID-19 themed cyber risks.
 - CISA released the [Trusted Internet Connections \(TIC\) 3.0 interim guidance](#), a tool for securing federal agencies "network and cloud environments" given the surge in teleworking during COVID-19. The TIC 3.0 focuses on remote federal employees connecting to private agency networks and cloud environments in a secure way.

Please note this daily update may not encompass all public guidance documents on implementation; as such, we encourage you to review public agency websites. Please let us know of any questions.