

How the Families First Coronavirus Response Act Impacts Children

General Provisions of the Families First Coronavirus Response Act

- \$100 billion of additional funding on top of the \$8.3 billion Coronavirus Preparedness and Supplemental Response Act passed earlier this month
- Each agency receiving funding through the legislation is required to send a detailed report of expenditures to the House and Senate Appropriations Committees within 30 days, with updated reports sent every 60 days until funds are expended or expire
- Provisions become effective April 2, 2020 and remain in effect through December 31, 2020

Official Title

H.R. 6201, Families First Coronavirus Response Act

[Full text is available online](#)

Timeline

- Introduced in the House March 11th by Rep. Nita Lowey (D-NY), passed House on March 14
- House passed significant “technical corrections” on March 16, weakening family leave provisions in particular
- Passed Senate without additional amendment on March 18
- Signed into law by President Trump on March 18; provisions become effective 15 days from signing (April 2, 2020)



Specific Provisions Impacting Families with Children

More widespread testing and public health support

- Free COVID-19 testing through the emergency period, regardless of insurance coverage or insurance type (i.e. private insurance, Medicaid, Medicare, CHIP, TriCare)
- No deductibles, copayments, coinsurance requirements or prior authorization necessary for anyone to be tested for COVID-19; a series of waivers cover associated costs through various different programs

NOTE: Costs associated with COVID-19 treatment are not covered under this legislation

- Federal Medicaid payments to states and territories will be increased by 6.2% through each quarter of the emergency period

Investments in child nutrition

- \$500 million to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and \$400 million to The Emergency Food Assistance Program (TEFAP) that will remain available through September 2021

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- Cost restrictions of the National School Lunch Act may be waived for the purposes of providing meals and meal supplements during a school closure due to COVID-19
- The Secretary of Agriculture may also grant waivers allowing non-congregate feeding and changes to nutritional content of meals and meal supplements if they are needed in order to provide meals or due to a supply chain disruption due to COVID-19

Waived requirements for WIC eligibility and administration

- State agencies can request that the Secretary of State waive physical presence and bloodwork requirements related to WIC eligibility until September 30, 2020
- State agencies can request that the Secretary of State modify or waive some other WIC regulatory requirements if they cannot be met by the agency due to COVID-19 and change is necessary for them to continue providing assistance

Flexibility in SNAP administration

- Work and work training requirements for SNAP are suspended from April 2020 through the end of the month after the COVID-19 public health emergency is lifted, and prior receipt of SNAP benefits during the emergency period will be disregarded by state agencies after the public health emergency declaration is lifted
- In the event of a public health emergency declaration by the Secretary of HHS and a state declaration of emergency/disaster:
 - State agencies can request emergency SNAP allotments to households to address temporary food needs; and
 - The Secretary of Agriculture can adjust methods and reporting requirements for the sake of practicality in affected areas

Boosts to unemployment assistance

- Nearly \$1 billion in FY2020 state administration grants to cover processing and payment of unemployment insurance
- NOTE: To qualify, among other requirements, states must have *“demonstrated steps to ease eligibility requirements and access to unemployment compensation for claimants, including waiving work search requirements and the waiting week, and noncharging employers directly impacted by COVID-19 due to an illness in the workplace or direction from a public health official to isolate or quarantine workers.”*

Emergency paid leave

- Employers with fewer than 500 employees must provide:
 - 2 weeks of paid sick leave
 - If employee is sick because of *their own* COVID-19 illness/treatment, they receive full pay, up to \$511 per day, or \$5,110 total
 - If employee is *acting as a caregiver* to their child or someone else, they receive two-thirds their regular pay rate, up to \$200 per day and \$2,000 total
 - Employers cannot force employees to find their own replacement before enacting sick leave

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- Up to 3 months of job-protected paid family leave for by employees who have been employed by their current employer for at least 30 days
 - The first 10 days of family medical leave may be unpaid, but employees may use existing sick or vacation time to cover this period
 - After the 10-day waiting period, employees will receive two-thirds their regular pay rate, up to \$200 per day or \$10,000 total, for up to 10 work weeks
 - Employers cannot force employees to use up vacation or other sick time before receiving this benefit

NOTE: This bill specifies paid emergency family medical leave only to employees caring for their own children whose school or child care facilities have closed

- The Secretary of Labor may exempt businesses with 50 or fewer employees from these requirements
- Employers – including nonprofits – will receive a refundable tax credit for 100% of what they pay out to employees, subject to certain caps and offset against social security taxes paid by the employer
 - For those who are self-employed, there is a tax credit equivalent to the sick leave amount

Next Steps

- Advocates need to start pushing immediately to restore more expansive benefits to families in the third (and likely final) \$1 trillion coronavirus response bill currently under development
 - Review changes that were made to the Families First Coronavirus Response Act in the House on March 16th [here](#)
- Tune in to NC Child's update calls on coronavirus legislation and response at the state and federal level each Friday, from 11am-noon