

COVID-19: A Weekly Health Care Update from Washington
May 25-29, 2020

IN BRIEF

What Happened This Week: While the Senate was in recess this week, the House approved a bipartisan bill to give businesses more time and flexibility to make qualifying expenditures under the CARES Act's Paycheck Protection Program. Meanwhile, the Trump Administration issued a Congressionally mandated report on its national coronavirus testing strategy and posted several guidance documents on reopening for individuals, businesses, states, and localities to reference online.

What to Expect Next Week: No votes are expected on the House floor next week; however, several remote hearings are expected to take place. The Senate is expected to return to Washington next week, and several in-person hearings are scheduled. Washington, DC started its first phase of reopening today (Friday, May 29).

DEEP DIVE

House Votes to Send COVID-19-Related Bill to Senate

Yesterday (Thursday, May 28), the House voted 417-1 to send the Paycheck Protection Program Flexibility Act ([H.R. 7010](#)) to the Senate for consideration. The bipartisan bill would give businesses more time and flexibility to make qualifying expenditures under the Paycheck Protection Program and would also extend the deadline to apply for a PPP loan from June 30, 2020 to December 31, 2020. The Senate could move to take up the legislation as early as next week.

House members rejected a second COVID-related bill yesterday – the TRUTH Act ([H.R. 6782](#)) – which would have required the Small Business Administration to issue a report on any businesses that received more than \$2 million in aid under the CARES Act ([H.R. 748](#)) and/or the subsequent legislation that replenished funding for the CARES Act's Paycheck Protection Program (PPP) ([H.R. 266](#)). The legislation failed, 269-147.

Looking ahead, the Senate is expected to return to Washington next week after a weeklong recess. No votes are expected on the House floor next week; however, several remote hearings are expected to take place (summarized in the "Upcoming Congressional Hearings" section of this document). Earlier today, House Democratic Leadership released an [updated legislative calendar](#) for the remainder of 2020.

House Speaker Pelosi (D-CA) Implements Proxy Voting; Republicans File Lawsuit

On Tuesday, May 26, House Republican Leader Kevin McCarthy (R-CA) announced he and other members of his party had filed a lawsuit (McCarthy v. Pelosi, 20-cv-01395) in federal court to "overturn Speaker Pelosi's unconstitutional proxy voting scheme." In a series of tweets Tuesday evening, Leader McCarthy said the new voting procedure is "NOT the representative democracy our Founders envisioned or what our Constitution allows."

The chamber voted earlier this month mostly along party lines (217-189) to temporarily allow for proxy voting ([H.Res. 965](#)). Under the modified voting procedure, Members are permitted to designate another Member to cast a vote for them; the lawmaker who has been designated to cast the vote may do so for up to 10 of their colleagues. On Wednesday, May 27, Rep. Brendan Boyle (D-PA) cast the first proxy vote in the House on behalf of Rep. Zoe Lofgren (D-CA). The bill, the Uyghur Human Rights Policy Act ([S. 3744](#)), passed overwhelmingly in the House (413-1) and was sent to the President's desk. Members will be allowed to vote by proxy for the next 45 days or unless the President makes another Emergency Declaration.

Trump Administration Issues Congressionally Mandated COVID-19 Testing Strategy

The CDC issued a Congressionally mandated report on its national coronavirus testing strategy last weekend. Within the [document](#), the Administration says the Federal government will continue to "work with States, territories, localities, and tribes to support the development and availability of as many fully enabled tests as possible" and recommends that all states to have an objective of testing a minimum of 2 percent of their population in May and June (pending additional new data on infections and impact of reducing mitigation). A number of Congressional Democrats [criticized](#) the Administration's plan, calling it "disappointing" and "far short of what [the country] need[s]." Instead, the lawmakers suggested "clear explanations" are needed to determine "how targets were set, how they will be met and what will be done if they are not."

Additional Noteworthy Announcements from the CDC

Earlier this week, the CDC announced it will award [\\$10.25 billion](#) to states, tribal, local, and territorial health departments to detect, respond and prevent COVID-19 using funds from the Paycheck Protection Program and Health Care Enhancement Act of 2020.

CDC also updated its [Interim Guidance on Developing a COVID-19 Case Investigation & Contact Tracing Plan: Overview](#) document. Updated sections include: Scaling up Staffing Roles, Training, When to Initiate, Investigating a COVID-19 Case, Contact Tracing for COVID-19, Outbreak Investigations, [Special Considerations for Health Departments](#), Building Community Support, Data Management, Evaluating Success, Confidentiality and Consent, Support Services, Digital Tracing Tools, and Resources.

The Agency also updated its [Financial Resources](#) webpage, which provides information on federal funding resources for CDC applicants and recipients.

CMS Issues Fact Sheet on Payments for Care in Alternative Care Sites

On Tuesday, May 26, the Centers for Medicare & Medicaid Services (CMS) released a [Fact Sheet for State and Local Governments CMS Programs and Payments for Care in Hospital Alternative Care Sites](#), which provides state and local governments developing alternate care sites additional information on how to seek payments through CMS programs for acute inpatient and outpatient care furnished at the site.

Noteworthy Information on the Nation's Reopening

- **Thermometers to States:** The federal government said it will [distribute non-contact infrared thermometers \(NCIT\) to states](#).

- **Transportation Protection:** CDC issued guidance on how to best [protect yourself when using transportation](#).
- **Cleaning and Disinfection Information:** CDC updated their guidance documents on [cleaning and disinfection for households](#) and [cleaning and disinfection for community facilities](#)
- **Restaurants and Bar Information:** CDC updated their [considerations for restaurants and bars](#) to include guiding principles, how to reduce spread, healthy environments, healthy operations, sick employees and other resources.
- **Information on Pools and Water Activities:** As public aquatic venues open in some areas, the CDC updated information on [considerations for public pools, hot tubs, and water playgrounds during COVID-19](#).
- **Information for Employers in Office Buildings:** CDC released [COVID-19 employer information for office buildings](#).
- **COVID-19 and Hurricane Season Preparations:** FEMA released their [COVID-19 Operational Guidance for the 2020 Hurricane Season](#). The document also includes guidance for State, Local, Tribal & Territorial officials to use in preparation for response and recovery operations and encourages personal preparedness measures amidst the ongoing COVID-19 pandemic.

Latest Unemployment Numbers Bring Total to More Than 40 Million

Another 2.1 million Americans [filed](#) for unemployment this week, bringing the total number of Americans unemployed to 40 million.

Antibody Testing Suggests COVID-19 is Less Deadly Than Previously Thought; COVID-19 Death Toll Reaches 100,000 Milestone

Researchers looking at antibody test results are [finding](#) that the COVID-19 virus may be less deadly than previous thought given that a larger number of people contracted the virus, but did not get seriously ill / die. The findings come after Johns Hopkins University researchers [announced](#) that the COVID-19 death toll in the US had reached 100,000 earlier this week. In a statement, the CDC said forecasting indicates the "rate of increase in cumulative COVID-19 deaths is continuing to decline," but added that: "[n]evertheless, total COVID-19 deaths are likely to exceed 115,000 by June 20."

UPCOMING CONGRESSIONAL HEARINGS

Senate Judiciary Committee Hearing

Date: Tuesday, June 2 at 10am

Topic: Examining Best Practices for Incarceration and Detention During COVID-19

Witnesses:

- TBA

Senate Banking Committee Hearing

Date: Tuesday, June 2 at 10am

Topic: Implementation of Title IV of the CARES Act

Witnesses:

- Thomas Quadman, Executive Vice President, U.S. Chamber Center for Capital Markets Competitiveness
- Dr. Douglas Holtz-Eakin, President, American Action Forum

- Dr. Heidi Shierholz, Senior Economist and Director of Policy, Economic Policy Institute

House Energy and Commerce Subcommittee on Oversight and Investigations Hearing

Date: Tuesday, June 2 at 11:30am

Topic: On the Front Lines: How Governors are Battling the COVID-19 Pandemic

Witnesses:

- The Honorable Asa Hutchinson, Governor, State of Arkansas
- The Honorable Jarad Polis, Governor, State of Colorado
- The Honorable Gretchen Whitmer, Governor, State of Michigan

Senate Finance Committee Hearing

Date: Tuesday, June 2 at 2:30pm

Topic: COVID-19 and Beyond: Oversight of the FDA's Foreign Drug Manufacturing Inspection Process

Witnesses:

- Judith McMeekin, Pharm.D., Associate Commissioner for Regulatory Affairs, FDA Office of Regulatory Affairs
- Douglas Throckmorton M.D., Deputy Director for Regulatory Programs, FDA Center for Drug Evaluation and Research
- Mark Abdo, Associate Commissioner for Global Policy and Strategy, Food and Drug Administration
- Mary Denigan-Macauley, Ph.D., Director, Health Care, United States Government Accountability Office
- Martin VanTrieste, President and Chief Executive Officer, CivicaRx
- David Light, Founder and CEO, Valisure
- Harry Lever, M.D., Medical Director, Hypertrophic Cardiomyopathy Clinic, Cleveland Clinic

Senate Small Business and Entrepreneurship Committee Hearing

Date: Wednesday, June 3 at 10am

Topic: Perspectives from Main Street: COVID-19's Impact on Small Business

Witnesses:

- TBA

House Committee on the Judiciary Hearing

Date: Wednesday, June 3 at 11am

Topic: Protecting the Right to Vote During the COVID-19 Pandemic

Witnesses:

- TBA

House Committee on the Budget Hearing

Date: Wednesday, June 3 at 1pm

Topic: Addressing the Economic Impacts of COVID-19: Views from Two Former CBO Directors

Witnesses:

- Dr. Douglas Elmendorf, Dean, Harvard Kennedy School
- Dr. Douglas Holtz-Eakin, President, American Action Forum

Senate Commerce, Science and Transportation Hearing

Date: Wednesday, June 3 at 2:30pm

Topic: The State of Transportation and Critical Infrastructure: Examining the Impact of the COVID-19 Pandemic

Witnesses:

- John Bozzella, President and Chief Executive Officer, Alliance for Automotive Innovation
- Randy Guillot, Chairman of the Board, American Trucking Associations
- Ian Jefferies, President and Chief Executive Officer, Association of American Railroads
- Alex Oehler, Interim President and Chief Executive Officer, Interstate Natural Gas Association of America
- Larry Willis, President, Transportation Trades Department, AFL-CIO

Senate Veterans' Affairs Committee Hearing

Date: Wednesday, June 3 at 3pm

Topic: Fiscal Year 2021 Budget and 2022 Advance Appropriations Requests, and Fiscal Year 2020 Enacted CARES Act Supplemental Appropriations for the Department of Veterans Affairs

Witnesses:

- TBA

Senate Health, Education, Labor, and Pensions Committee Hearing

Date: Thursday, June 4 at 10am

Topic: Going Back to College Safely

Witnesses:

- Mitchell Daniels, President, Purdue University,
- Dr. Christina Paxson, President, Brown University
- Dr. Logan Hampton, President, Lane College
- Dr. Georges Benjamin, MACP, FACEP(E), FNAPA, Hon FRSPH, Hon FFPH, Executive Director, American Public Health Association

ADMINISTRATION ANNOUNCEMENTS

Department of Health and Human Services

- [HHS Awards \\$15 Million to Combat the COVID-19 Pandemic in Rural Tribal Communities](#)

Centers for Medicare & Medicaid Services

- N/A

Centers for Disease Control and Prevention

- [Click here for the full list of all new CDC updates.](#)

Food and Drug Administration

- [FDA Provides New Tool to Aid Development and Evaluation of Diagnostic Tests That Detect SARS-CoV-2 Infection](#)
- [Click here for the full list of all new FDA updates.](#)

National Institutes of Health

- N/A

QUICK LINKS

- [Mehlman Castagnetti's Infographics Analysis on Post-Pandemics Politics and Policy](#)
- [Additional Mehlman Castagnetti Resources on COVID-19](#)
- [Johns Hopkins University Map of Global Cases of Coronavirus](#)
- [CDC Map of Coronavirus Cases in the US](#)
- [CMS COVID-19 Stakeholder Call Recording/Transcripts](#)
- [Kaiser Family Foundation: State Data and Policy Actions to Address Coronavirus](#)
- [CRS Report: COVID-19 – Global Implications and Responses](#)