

COVID-19, Publications

Senate Passes Massive Stimulus Bill

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On Wednesday, March 25, 2020, the Senate passed the [*Coronavirus Aid, Relief, and Economic Security Act*](#) (H.R. 748, the “CARES Act” or “the Act”). The Act is the largest economic stimulus bill in American history and provides unprecedented aid to individuals and businesses across the U.S. economy. The House is expected to pass the Act by voice vote on Friday, March 27, 2020, and all indications are that the President will sign it shortly thereafter.

The CARES Act provides direct financial aid to Americans in the form of \$1,200 checks for individuals earning less than \$75,000 (\$2,400 for married households earning less than \$150,000) with an additional \$500 per child. The Act additionally provides expanded unemployment insurance, financial support for state and local governments, a loan program for small businesses and not-for-profits, a payroll tax deferral for employers, and financial assistance to small businesses and certain industries.

Importantly, the Act contains a number of provisions that affect healthcare, paid leave, retirement plans, and executive compensation. Those provisions are summarized below.

I. Health Provisions

A. Coverage of COVID-19 Testing (Section 3201)

Last week’s *Families First Coronavirus Response Act* ([H.R. 6201](#), [Groom summary](#), “Families First Act”) required group health plans and health insurance issuers of group or individual health insurance coverage (including grandfathered plans) to cover without cost-sharing Food and Drug Administration (“FDA”)-approved diagnostic tests for COVID-19. The CARES Act expands the definition of covered diagnostic tests to include tests:

- for which “the developer has requested or intends to request emergency use authorization” from the FDA (until the request is denied or the developer does not submit the request within a reasonable time);
- that are “developed in or authorized by a State;” or
- that are deemed appropriate by the Secretary of Health and Human Services (“HHS”).