

# H.R.266 - Paycheck Protection Program and Health Care Enhancement Act

Bill summary by the Congressional Research Service

Passed Senate (04/21/2020)

This bill responds to the COVID-19 (i.e., coronavirus disease 2019) outbreak by providing additional funding for small business loans, health care providers, and COVID-19 testing.

## DIVISION A--SMALL BUSINESS PROGRAMS

(Sec. 101) This division provides additional lending authority for certain Small Business Administration (SBA) programs in response to COVID-19.

Specifically, the division increases the authority for (1) the Paycheck Protection Program, under which the SBA may guarantee certain loans to small businesses during the COVID-19 pandemic; and (2) advances on emergency economic injury disaster loans made in response to COVID-19. The division also expands eligibility for such disaster loans and advances to include agricultural enterprises.

Additionally, the division requires the SBA to guarantee no less than a specified amount of paycheck protection loans made by certain insured depository institutions, community financial institutions, and credit unions.

(Sec. 102) The amounts provided under this division are designated as an emergency requirement pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO) and the Senate PAYGO rule.

## DIVISION B--ADDITIONAL EMERGENCY APPROPRIATIONS FOR CORONAVIRUS RESPONSE

### *Additional Emergency Appropriations for Coronavirus Response*

This division provides FY2020 supplemental appropriations for the Department of Health and Human Services (HHS) and the SBA in response to COVID-19.

The supplemental appropriations are designated as emergency spending, which is exempt from discretionary spending limits.

## TITLE I--DEPARTMENT OF HEALTH AND HUMAN SERVICES

This title provides \$100 billion in FY2020 supplemental appropriations to HHS for the Public Health and Social Services Emergency Fund, including

- \$75 billion to reimburse health care providers for health care related expenses or lost revenues that are attributable to the coronavirus outbreak; and
- \$25 billion for expenses to research, develop, validate, manufacture, purchase, administer, and expand capacity for COVID-19 tests to effectively monitor and suppress COVID-19.

The title allocates specified portions of the \$25 billion for COVID-19 testing to

- states, localities, territories, and tribes;
- the Centers for Diseases Control and Prevention;
- the National Institutes of Health;
- the Biomedical Advanced Research and Development Authority;
- the Food and Drug Administration;
- community health centers;
- rural health clinics; and
- testing for the uninsured.

The title also establishes several reporting requirements for HHS, including requirements to submit to Congress details regarding COVID-19 cases and a strategic testing plan

(Sec. 101) This section specifies that certain authorities, conditions, and requirements included in the Coronavirus Aid, Relief, and Economic Security Act apply to the funds provided by this division to HHS.

(Sec. 102) This section sets forth authorities and restrictions that apply to transferring funds provided by this title.

(Sec. 103) This section requires specified funds provided by this title for the Public Health and Social Services Emergency Fund to be transferred to the HHS Office of Inspector General for oversight of activities supported with funds appropriated to HHS to respond to the COVID-19 outbreak.

## TITLE II--INDEPENDENT AGENCIES

This title provides FY2020 supplemental appropriations to the SBA, including

- \$2.1 billion for salaries and expenses to administer programs related to COVID-19,
- \$50 billion for the Economic Injury Disaster Loan (EIDL) program, and
- \$10 billion for Emergency EIDL grants.

## TITLE III--GENERAL PROVISIONS--THIS ACT

(Sec. 301) This section specifies that the funds provided by this division are in addition to funds otherwise appropriated for the fiscal year involved.

(Sec. 302) Funds provided by this division may not remain available beyond the current fiscal year, unless this division provides otherwise.

(Sec. 303) Unless otherwise specified by this division, the funds provided by this division are subject to the authorities and conditions that apply to the applicable appropriations account for FY2020.

(Sec. 304) This section specifies that certain funds provided or transferred by this division may only be used to prevent, prepare for, and respond to the coronavirus outbreak.

(Sec. 305) For the purposes of this division, the term *coronavirus* means SARS-CoV-2 or another coronavirus with pandemic potential.

(Sec. 306) This section provides that amounts designated by this division as emergency requirements are only available (or rescinded, if applicable) if the President subsequently designates the amounts and transmits the designations to Congress.

(Sec. 307) This section specifies that the emergency funds that are transferred pursuant to this division retain the emergency designation.

(Sec. 308) This section exempts the budgetary effects of this division from the Statutory Pay-As-You-Go Act of 2010 (PAYGO), (2) the Senate PAYGO rule, and (3) certain budget scorekeeping rules.