

Accelerated and Advance Payment Program ("American Workers, Families, and Employers Assistance Act") – The package includes extension for hospitals, providers, and suppliers who received payments through the Accelerated and Advance Payment Program. Under the HEALS Act, recoupment for hospitals and providers that received loans would not begin until 270 days after initial payment was received. Interest would not be applied to outstanding loans received by hospitals for 18 months, while providers and suppliers would have only 14 months before interest is applied (Sec. 302).

Paycheck Protection Program ("American Workers, Families, and Employers Assistance Act") – The HEALS Act would make a number of notable changes to the Paycheck Protection Program (PPP), a loan program for small businesses impacted by COVID-19. For previous recipients of PPP loans, the HEALS Act would amend documentation and certification requirements, which were established by section 1106(e) of the CARES Act. The HEALS Act would also create a second round of PPP loans for businesses with fewer than 300 employees that have faced a decline in revenue of at least 50%. Borrowers may receive a loan of up to 2.5 times their average monthly payroll costs, capped at \$2 million. Loan forgiveness for second round borrowers would be equal to the sum of the borrowers' COVID-19-associated costs incurred before January 1, 2021. Allowable expenses would also be expanded to include a broader range of preventative efforts, including purchasing of masks and other PPE, installation of Plexiglas and improved HVAC systems, and creation of outdoor seating areas (Sec. 1102).

Liability Reform ("SAFE TO WORK Act") – The HEALS Act prohibits coronavirus-related liability action against healthcare providers, except in cases where gross negligence or willful misconduct on the part of the provider can be demonstrated (Sec. 142).

Preparing for the Next Pandemic ("Safely Back to School and Back to Work Act") – The package includes a handful of provisions aimed at preparing for the next pandemic, which mirrors a recent proposal put forth by the Chairman of the HELP Committee, Lamar Alexander (R-TN). The bill includes language to support on-shore medical manufacturing surge capacity for items such as vaccines and therapeutics, and to improve research and development of medical countermeasures against public health threats (Sec. 102). It would also create state stockpiles of medical supplies and require states and HHS to work together to maintain and administer those stockpiles. States would be required to submit a stockpiling plan to HHS, and HHS would be required to provide technical assistance and establish an auditing process (Sec. 103). Finally, the package includes language to improve the Strategic National Stockpile by directing HHS to partner with manufacturers and distributors to increase manufacturing and stockpiling capacity (Sec. 104).

Health and Dependent Care Flexible Spending Accounts ("American Workers, Families, and Employers Assistance Act") – The HEALS Act would allow participants of health flexible spending accounts (FSA) to carry over \$2,750 on unused benefits from plan year 2020 into plan year 2021. The package also permits participants of dependent care FSA to carry over \$5,000 (\$2,500 in the case of a separate return by a married individual) from plan year 2020 into plan year 2021 (Sec. 401).