

## Summary of HEROES Act provisions related to NCHC priorities

05/12/2020

A full section-by-section can be found [here](#) and the full bill text can be found [here](#). Below are highlights based on NCHC priorities.

### DIVISION C – Health Provisions

#### Title I – Medicaid

- **Section 30101. FMAP increase.** Increases Federal Medical Assistance Percentage (FMAP) payments to state Medicaid programs by a total of 14 percentage points starting July 1, 2020 through June 30, 2021.
- **Section 30102. MFAR.** Prevents the Secretary of Health and Human Services (HHS) from finalizing the Medicaid Fiscal Accountability Regulation (MFAR) until the end of the COVID-19 public health emergency.
- **Section 30104. No cost-sharing for COVID-19 treatment.** Eliminates cost sharing for Medicaid beneficiaries for COVID-19 treatment and vaccines during the COVID-19 public health emergency.
- **Section 30105. Covering the uninsured for COVID-19 treatment.** Ensures that uninsured individuals whom states opt to cover through the new Medicaid eligibility pathway will be able to receive treatment for COVID-19 without cost-sharing during the COVID-19 public health emergency.
- **Section 30110. Allowance for medical assistance under Medicaid for inmates during 30-day period preceding release.** Provides Medicaid eligibility to incarcerated individuals 30 days prior to their release.

#### Title II – Medicare

- **Section 30201. Hold Medicare beneficiaries harmless for specified COVID-19 treatment services furnished under Part A or Part B of the Medicare program.** Establishes zero costsharing (out-of-pocket costs) for COVID-19 treatment under Medicare Parts A and B during the COVID-19 public health emergency.
- **Section 30204. Coverage of treatments for COVID-19 at no cost sharing under the Medicare Advantage program.** Establishes zero cost-sharing (out-of-pocket costs) for

COVID-19 treatment under Medicare Advantage during the COVID-19 public health emergency.

- **Section 30205. Coverage under Prescription Drug Plans (PDPs) and Medicare Advantage-Prescription Drug plans (MA-PDPs) without cost-sharing.** Requires coverage under Medicare PDPs and MA-PDPs without cost-sharing or Utilization Management Requirements for drugs intended to treat COVID-19 during the COVID-19 public health emergency.
- **Section 30206. Improve the Accelerated and Advance Payment Program.** Lowers the interest rate for loans to Medicare providers made under the Accelerated and Advance Payment Program, reduces the per-claim recoupment percentage, and extends the period before repayment begins.
- **Section 30207. Create a new special enrollment period for Medicare.** Creates a new special enrollment period for Medicare Parts A & B eligible individuals during the COVID-19 public health emergency.

### Title III – Private Insurance

- **Section 30301. Special enrollment period through exchanges; federal exchange outreach and Activities.** Provides for a two-month open enrollment period to allow individuals who are uninsured, for whatever reason, to enroll in coverage. Currently, Americans can only enroll in an Affordable Care Act (ACA) plan during open enrollment period, or because of a qualifying life event if they were previously insured.
- **Section 30303. Coverage of COVID-19 related treatment at no cost sharing.** Requires coverage of items and services related to the treatment of COVID-19 in group and individual market health plans and waives cost-sharing requirements for consumers during the COVID-19 public health emergency.
- **Section 30307. Preserving health benefits for workers.** Provides approximately nine months of full premium subsidies to allow workers to maintain their employer-sponsored coverage if they are eligible for COBRA due to a layoff or reduction in hours, and for workers who have been furloughed but are still active in their employer-sponsored plan

### Title V – Public Health

- **Section 30515. Reporting requirement for drug manufacturers.** Requires drug manufacturers to report foreign drug manufacturing sites and to report quarterly on the volume of drugs manufactured.

- **Section 30511. Medical Supplies Response Coordinator.** Requires the President to appoint a Medical Supplies Response Coordinator. A Medical Supplies Response Coordinator would serve as the point of contact for the health care system, supply chain officials, and states on medical supplies, including personal protective equipment (PPE), medical devices, drugs, and vaccines. The appointee is required to have health care training and an understanding of medical supply chain logistics.
- **Subtitle B—Strategic National Stockpile Improvements**
- **Subtitle C—Testing and Testing Infrastructure Improvements**
- **Subtitle D—COVID-19 National Testing and Contact Tracing (CONTACT) Initiative**

## Title IV – Public Health Assistance

- **Section 30611. Health Care Provider Relief Fund.** Codifies the CARES Act health care provider relief fund for the purposes of reimbursing eligible health care providers for expenses related to preventing, preparing for, and responding to COVID-19, as well as lost revenues that have resulted from the COVID-19 pandemic.
- **Section 30612. Public Health Workforce Loan Repayment Program.** Establishes a loan repayment program to enhance recruitment and retention of state, local, tribal, and territorial public health department workforce.
- **Section 30618. Research on the mental health impact of COVID–19.** Directs the NIH’s National Institute of Mental Health to support research on the mental health consequences of COVID-19, including the impact on health care providers.
- **Section 30633. Grants to address substance use during COVID-19.** Authorizes SAMHSA to award grants to support local, tribal, and state substance use efforts that need further assistance as a result of COVID-19.
- **Section 30634. Grants to support increased behavioral health needs due to COVID-19.** Authorizes SAMHSA to award grants to States, tribes, and community-based entities to enable such entities to increase capacity and support or enhance behavioral health services.