

May 14, 2020 – 8:00 PM

*Please note resources and updates are evolving rapidly.*

### Resources

- The U.S. Treasury Department has updated its frequently asked questions document with guidance on the good faith certification that current economic conditions make the loan necessary to support ongoing operations.

### State Updates

- The Ohio Department of Health reported Thursday that cases of coronavirus increased by 636 and deaths increased by 51 from Wednesday, reaching respective totals of 26,357 and 1,534.
  - Cases have resulted in 4,718 hospitalizations and 1,268 intensive care unit admissions.
- On May 31, childcare providers in Ohio will be permitted to reopen if they can meet required safety protocols.
  - The full list of mandatory and recommended best practices is here.
  - To assist in the reopening of child care centers, Ohio will seek to use more than \$60 million in federal CARES Act funding to provide reopening grants to all of Ohio's childcare providers, including family childcare, childcare centers, and both publicly-funded and private providers.
- On May 26, gyms and fitness centers in Ohio will be permitted to reopen if these facilities can meet required safety protocols.
  - A full list of mandatory and recommended best practices will be available soon at coronavirus.ohio.gov.
- On May 26, sports leagues in Ohio will be permitted to operate if these leagues can meet required safety protocols.
  - This applies only to non-contact and limited-contact sports.
  - A full list of mandatory and recommended best practices will be available soon at coronavirus.ohio.gov.
  - Note that safety protocols for high-contact sports are in development.
- On May 26, public pools and club pools that are regulated by local health departments in Ohio will be permitted to reopen if these facilities can meet required safety protocols.
  - According to the Centers for Disease Control and Prevention, there is no evidence that the virus that causes COVID-19 can be spread to people through the water in pools, hot tubs, spas, or water play areas.
  - Proper operation and maintenance (including disinfection with chlorine and bromine) of these facilities should inactivate the virus in the water.
  - A full list of mandatory and recommended best practices will be available soon at coronavirus.ohio.gov.

- On May 21, campgrounds in Ohio will be permitted to reopen if these facilities can meet required safety protocols.
  - The full list of mandatory and recommended best practices for both campgrounds and campers is [here](#).
- The Director of Health Orders for reopening personal services and restaurants and bars is [here](#).
- Sectors licensed by the State Medical Board of Ohio, including massage therapy, acupuncture, cosmetic therapy will be permitted to reopen on May 15 with the implementation of proper safety measures.
  - The full list of mandatory and recommended best practices is [here](#).
- Tattoo and body piercing services will also be permitted to reopen on May 15 with the implementation of proper safety measures.
  - The full list of mandatory and recommended best practices is [here](#).
- With the joblessness accompanying the coronavirus pandemic, more Ohioans are turning to Medicaid for health coverage with approximately 3 million people now on Medicaid.
  - “We had an increase in the number of people by about 140,000 from the end of March until the end of April,” said Ohio Medicaid Director Maureen Corcoran.
- Senator Matt Dolan shared during Senate Finance Committee that the Senate intends to pass a re-appropriations bill before the end of June with an emergency clause.
  - The inclusion of an emergency clause would eliminate the 90-day wait period for the law to go into effect following the Governor's signature.
  - The Ohio House has not announced whether it shares the Senate's interest in passing a re-appropriations bill on this timeline. The Chairman shared that the passage of a re-appropriations bill would be introduced and passed out of Senate Finance Committee over the next several meetings in order to stimulate commerce.
- On possibly civil immunity legislation:
  - The Ohio House Civil Justice Committee heard testimony on a substitute version of [HB 606](#) and continued the bill for a future committee hearing with no further actions taken.
  - The Ohio Senate Judiciary Committee accepted and heard testimony on a substitute version of [SB 308](#); the committee continued the legislation with no additional actions taken after hearing from a list of witnesses.

### **Federal Updates**

- The \$3 trillion economic rescue bill that the House Democrats unveiled yesterday would make major changes to small business loan programs. The text of the HEROES Act, H.R. 6800, is [here](#).
  - A one pager on the legislation is [here](#).
  - A section-by-section summary is [here](#).
  - A resource on the state and local relief provisions is [here](#).
  - The House Small Business Committee circulated factsheets on the small business provisions in The Heroes Act, click [here](#) and [here](#).

The bill would make several adjustments to the Paycheck Protection Program (PPP), which offers low-interest loans that can be forgiven if borrowers agree to maintain their payrolls. The revisions would expand the universe of organizations able to receive the loans and limit the Trump administration's ability to restrict how the loans are used.

Among the provisions in the bill is one that would allow nonprofits of any kind to apply for Paycheck Protection Program loans. While the idea has bipartisan support, it will likely also create controversy because it would open-up the program to 501(c)(6)s, which include business trade associations.

Another measure would prevent the Small Business Administration (SBA), which runs the program, from limiting the portion of the loans that can be spent on non-payroll costs if borrowers want the loans forgiven. The SBA and the Treasury Department decided at the outset of the program that businesses could spend no more than 75 percent of the forgivable amount of the loans on expenses outside of payroll. Some businesses are concerned that the cap is too onerous. Treasury Secretary Steven Mnuchin has refused to ease the requirement on his own but says he's open to working with Congress on that.

Addressing another criticism from businesses, the bill would give borrowers 24 weeks to spend loan funds, an increase from the current eight weeks set now.

The bill would not appropriate new funding for the program, but it includes carve-outs for nonprofits and small businesses with fewer than 10 employees, as well as a set-aside for community financial institutions.

In addition, the bill includes \$10 billion for Economic Injury Disaster Loan grants.

The House plans to vote on the bill this Friday.

- "This is not a time for aspirational legislation, this is a time for practical response to the coronavirus pandemic," Senate Majority Leader Mitch McConnell told reporters after the House bill was released.
  - Senate Republicans are privately putting together possible priorities of their own for the next COVID-19 relief package, which some believe will set the stage for a bill to be passed this summer.
  - Issues Senate Republican may want to address include: a litigation shield for businesses that reopen as the pandemic carries on and a reform of beefed-up unemployment benefits that Congress approved in March.