


Catalyst Center COVID-19 Resource Series

THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT AND EMPLOYMENT



The public health emergency resulting from the COVID-19 pandemic has real implications for state Title V programs as well as families raising children and youth with special health care needs (CYSHCN).

State programs like Medicaid/CHIP and Title V, which are integral to the [system of services and supports for children and youth with special health care needs](#), must be ready to adapt and respond to the current challenges faced by children, families, providers, and other stakeholders.

These fact sheets help explain employment provisions for families in the CARES Act. Families raising CYSHCN are more at risk than ever for experiencing financial hardship due to job loss, loss of health insurance, and other factors. Understanding these policy changes can aid in reducing the risk of family financial hardship.

IN THIS SERIES:

- What Does the CARES Act Offer Regarding Income Supports due to Unemployment?
- What Was Included in the CARES Act About Sick Leave and Family Leave?



Catalyst Center COVID-19 Resource Series THE CARES ACT AND EMPLOYMENT

What Does the CARES Act Offer Regarding Income Supports due to Unemployment?

The goal of this fact sheet is to provide Title V programs and allies with a summary of guidance in clear language in order to build understanding of key financing and coverage provisions during the COVID-19 emergency, support care coordination, benefits and coverage counseling, and aid in reducing the risk of family financial hardship.

The [CARES Act](#) became law on March 27, 2020. This \$2.2 trillion package builds on two previous Congressional legislative efforts to address the health and economic impacts of the Coronavirus pandemic. The following are brief highlights of some of the income-related provisions of the CARES Act that have implications for states, children and youth with special health care needs, their families, and providers.

Pandemic Unemployment Assistance (PUA) (Section 2102)

- Expands unemployment compensation to those who would not otherwise be eligible for unemployment benefits, such as self-employed workers, independent contractors, and “gig” workers who are out of work or whose hours have been reduced due to COVID-19 related circumstances, including:
 - The worker or a member of the worker’s household has been diagnosed with COVID-19.
 - The worker is providing care for a family or household member who has been diagnosed with COVID-19.
 - The worker is caring for a child (or other person for whom the worker has primary caregiving responsibilities) whose school or care facility is closed as a result of COVID-19.
 - The worker has been advised by a health care provider to self-quarantine due to COVID-19 concerns.
 - The worker’s scheduled commencement of employment has been delayed or canceled due to COVID-19.
 - The worker has become the primary breadwinner due to the death of the head of the household from COVID-19.
 - The individual’s place of employment is closed as a result of COVID-19.
- This provision is in effect retroactively to January 27, 2020 and runs through December 31, 2020. Benefits for individuals are capped at 39 weeks.

Pandemic Unemployment Compensation (Section 2104)

A temporary additional federal payment of \$600 per week is available to all recipients of traditional unemployment insurance or Pandemic Unemployment Compensation from January 27 through July 31, 2020.

Pandemic Emergency Unemployment Compensation (Section 2107)

The length of time for traditional unemployment benefits varies between states, with an average of 26 weeks. This CARES Act provision provides a continuation of state benefits for 13 additional weeks. To be eligible, individuals must have exhausted their state benefits and be actively looking for work. The benefit is the state’s regular unemployment compensation amount, plus the additional \$600 under Section 2104.

The information presented is accurate as of its publication date. Further federal agency guidance, regulations and rules are being issued rapidly and may have an impact on this content. For the most up-to-date information on Medicaid/CHIP guidance, state flexibility-related tools and checklists, waiver and amendment approvals, and clinical/technical guidance please view [Coronavirus resources for states at Medicaid.gov](#).

This project (U1TMC31757) is supported by the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS) as part of an award totaling \$500,000, with no financing by nongovernmental sources. The contents are those of the author(s) and do not necessarily represent the official views of, nor an endorsement by, HRSA, HHS or the U.S. Government.



Catalyst Center COVID-19 Resource Series THE CARES ACT AND EMPLOYMENT

What Was Included in the CARES Act About Sick Leave and Family Leave?

The goal of this fact sheet is to provide Title V programs and allies with a summary of guidance in clear language in order to build understanding of key financing and coverage provisions during the COVID-19 emergency, support care coordination, benefits and coverage counseling, and aid in reducing the risk of family financial hardship.

The [CARES Act](#) became law on March 27, 2020. This \$2.2 trillion package builds on two previous Congressional legislative efforts to address the health and economic impacts of the Coronavirus pandemic. The following are brief highlights of some of the employment-related provisions of the CARES Act that have implications for states, children and youth with special health care needs, their families, and providers.

Emergency Paid Sick Leave Act (Section 3602)

Private employers with fewer than 500 employees and public agencies are required to provide paid sick leave to employees who cannot work for the following reasons:

- A federal, state or local quarantine or isolation order related to COVID-19
- Advice of a health care provider to self-quarantine related to COVID-19 concerns
- Experiencing symptoms and seeking confirmation of a diagnosis of COVID-19
- Caring for an individual who is under a quarantine order or self-quarantine medical advice
- Caring for a child (under age 18 or over age 18 who is incapable of self-care because of a physical or mental disability) whose school or day care has closed, or whose child care provider is unavailable due to COVID-19-related reasons
- Experiencing similar conditions as specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor

Full-time employees meeting these criteria are entitled to up to 80 hours of paid sick leave. Part-time workers are entitled to up to the number of hours they work on average over a two-week period. Employers are prohibited from firing, disciplining, or discriminating against workers who take paid sick leave under the Emergency Paid Sick Leave Act.

Emergency Family and Medical Leave Expansion Act

This piece of the CARES Act expands on the existing [Family Medical Leave Act](#), which allows for protected caregiving leave but is unpaid. Employers are required under this expansion to provide additional paid family and medical leave to employees who are unable to work because of a child's (one under age 18 or children over age 18 who are incapable of self-care because of a physical or mental disability) school or day care closing, or whose child care provider is unavailable due to the COVID-19 pandemic.

Employers with under 500 employees and public agencies must comply. An employee can take up to twelve weeks of leave, although the first two weeks are unpaid. The remaining weeks are paid at two-thirds of the employee's regular pay. Compensation is calculated using the number of hours an employee would have normally worked.

The information presented is accurate as of its publication date. Further federal agency guidance, regulations and rules are being issued rapidly and may have an impact on this content. For the most up-to-date information on Medicaid/CHIP guidance, state flexibility-related tools and checklists, waiver and amendment approvals, and clinical/technical guidance please view [Coronavirus resources for states at Medicaid.gov](#).

This project (U1TMC31757) is supported by the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS) as part of an award totaling \$500,000, with no financing by nongovernmental sources. The contents are those of the author(s) and do not necessarily represent the official views of, nor an endorsement by, HRSA, HHS or the U.S. Government.