

# Safely Back to School and Back to Work Act

## **Sec. 1. Short Title**

- Establishes “Safely Back to School and Back to Work Act” as the short title.

## **Title I – Health Provisions**

### **Sec. 101. Improving Earlier Access to Diagnostic Tests**

- Requires the Secretary of Health and Human Services (HHS), in coordination with the Director of Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA), to establish and publish policies and procedures for public and private entities to access samples of specimens containing infectious disease agents, or suitable surrogates or alternatives to support the development of products, including the development of diagnostic tests, treatments, or vaccines, to address emerging infectious diseases for biomedical research.
- Requires the Secretary to issue guidance regarding the procedures for accessing such samples.
- Clarifies that CDC can enter into agreements with public and private entities to assist in the immediate and rapid development, validation, and dissemination of diagnostic tests for purposes of biosurveillance or other immediate public health response activities to address an emerging infectious disease.
- Requires the Secretary, in coordination with the FDA and CDC, to consult with medical product manufacturers, suppliers, and other relevant stakeholders to identify specific supply needs, including specimen collection and transport materials, reagents, or other supplies; identify projected demand and availability of such supplies; and support activities to increase the availability of such supplies or appropriate alternatives.

### **Sec. 102. Sustained On-Shore Manufacturing Capacity for Public Health Emergencies**

- Improves and supports sustained manufacturing surge capacity and capabilities to produce needed medical countermeasures, such as vaccines and therapeutics, to respond to public health threats like COVID-19.
- Ensures that the Medical Countermeasure Innovation Partner can be fully implemented to improve the advanced research and development of medical countermeasures against public health threats.

### **Sec. 103. Improving and Sustaining State Stockpiles**

- Establishes state stockpiles of medical products and supplies needed during a public health emergency, such as personal protective equipment, ventilators, and other medical products.
- Requires states to submit a stockpiling plan to the Secretary of Health and Human Services for maintaining the state stockpile, and coordinate with the state and relevant state preparedness plans.
- Requires HHS to provide guidance and technical assistance to states on maintaining their stockpiles.
- Ensures that state stockpiles will be appropriately administered and maintained by directing the Secretary to establish an auditing process and withholding funds if a state fails to submit a state stockpiling plan or meet certain benchmarks and other metrics.
- Authorizes funding to sustain state medical stockpiles.

#### **Sec. 104. Strengthening the Strategic National Stockpile**

- Improves the Strategic National Stockpile by partnering with medical product manufacturers, distributors, or other entities to increase the stockpiling and manufacturing capacity of reserve amounts of medical products to be provided during or in advance of a public health emergency.

#### **Sec. 105. Guidance for States and Indian Tribes on Accessing the Strategic National Stockpile**

- Requires HHS to publish guidance on how states and tribes can request and access resources from the Strategic National Stockpile.

#### **Sec. 106. Modernizing Infectious Disease Data Collection**

- Strengthens public health preparedness and situational awareness by integrating laboratory testing and epidemiology systems into existing surveillance programs, improving the exchange of electronic health information between health care providers, public health departments, and federal agencies to better provide detection of infectious diseases and inform public health preparedness and response.

#### **Sec. 107. Centers for Public Health Preparedness**

- Authorizes a network of ten regional Centers for Public Health Preparedness, which will support state and local health departments, health care coalitions, and the public by:
  - disseminating research related to public health preparedness and response;
  - identifying and developing relevant evidence-based practices;
  - helping to prepare through drills, exercises, and trainings; and
  - providing technical assistance and expertise during public health emergencies.

#### **Sec. 108. Telehealth Plans**

- Allows employers to offer telehealth as an excepted benefit to employees who are not full-time or do not qualify for their employer's coverage.

#### **Sec. 109. Protection of Human Genetic Information**

- Prohibits the use of human genetic information collected incidental to diagnostic and serologic testing for purposes other than the primary diagnostic or serologic test, unless permitted with explicit patient consent.

#### **Sec. 110. Reagan-Udall Foundation and Foundation for the National Institutes of Health**

- Updates the amount of funding required to be transferred to public-private partnerships by FDA and NIH. Reagan-Udall Foundation and FNIH are supporting many activities to research and develop tests, treatments, and vaccines for COVID-19.

### **Title II – Education Provisions**

#### **Sec. 201. Simplifying Student Loan Repayment**

- Reduces 9 current repayment options to two:
  - a standard ten year mortgage-style payment plan; and
  - an income-based payment plan that limits payments to 10% of discretionary income (the income amount above 150% of the federal poverty line).

### **Sec. 202. Emergency Education Freedom Grants**

- Authorizes one-time, emergency appropriations funding for scholarship-granting organizations (SGOs) in each state.
  - States subgrant funds to SGOs that administer scholarships for students to use towards qualified educational expenses (as determined by the state), such as private school tuition and home schooling expenses.
  - If States choose not to subgrant funds to SGOs, funds get returned to the Secretary to be re-distributed among participating States.

### **Sec. 203. Back to Work Child Care Grants**

- Authorizes short-term assistance to help child care providers reopen and stay open so that parents have a safe place to send their children when they return to work.
- Allows states to build out programs to help child care providers reopen and maintain operations for 9 months.

### **Sec. 204. National Emergency Educational Waivers**

- Provides the Secretary with the authority to provide waivers from the Elementary and Secondary Education Act and the Rehabilitation Act, except civil rights laws, that are necessary and appropriate due to the COVID-19 declaration of disaster.
- Provides modest flexibilities within the Individuals with Disabilities Education Act to allow for children to receive services as they transition from Part C to Part B and also to provide a deferral of the work or repayment requirements to personnel development scholarship recipients if employment was interrupted due to the COVID-19 declaration of disaster.

### **Sec. 205. Waivers for Career, Technical and Adult Education**

- Provides the Secretary with the authority to provide waivers from the Carl D. Perkins Career and Technical Education Act of 2006, the Adult Education and Family Literacy Act, and the General Education Provisions Act that are necessary and appropriate due to the COVID-19 declaration of disaster.

### **Sec. 206. Additional Workforce Activities**

- Allows local boards to use more of their existing funds on incumbent worker training or transitional jobs by authorizing 40 percent of funds provided under the Workforce Innovation and Opportunity Act to be used for either activity.
- Provides the Secretary of Labor with the authority to waive requirements for Job Corps and YouthBuild related to age at enrollment and program length.
- Authorizes additional funding to support youth activities under the Workforce Innovation and Opportunity Act.
- Authorizes additional funding for the Reentry Employment Opportunities program at the Department of Labor.
- Authorizes additional funding for National Dislocated Worker grants.
- Authorizes additional funding to support apprenticeship.

### **Sec. 207. Workforce Recovery and Training Services**

- Authorizes funding for a formula grant to States to support job training, including through activities authorized under the Workforce Innovation and Opportunity Act such as customized training, on-the-job training, Individual Training Accounts, or transitional jobs.

### **Sec. 208. Impact Aid Provisions**

- Allows school districts to use their FY21 student counts for the purposes of Impact Aid applications in the coming year to mitigate inaccuracies in student counts due to school closures and distance learning.

### **Sec. 209. Amendments to Education Provisions of CARES**

- Campus-based aid –
  - Clarifies that the CARES Act waiver for matching funds in Federal Work Study extends to participating non-profit organizations that provide opportunities for students to work in community service positions.
  - Extends existing CARES authority to reallocate Supplemental Education Opportunity Grant or Federal Work Study funds through the end of the 2020-2021 award year or the end of the qualifying emergency, whichever is later.
  - Extends existing CARES waivers for Federal Work Study into 2020-2021 award year.
- Foreign institutions – Extends existing CARES waivers for foreign institutions through the end of the 2020-2021 award year or the end of the qualifying emergency, whichever is later.
- Clarifies that the CARES Act relief for Federal student loan borrowers, which provides 0% interest accrual until September 30, 2020, also applies to students in in-school deferment.
- Perkins loans – Creates parity with TEACH and Stafford loan teacher forgiveness for Perkins Loans cancellation.
- Clarifies that any funds received by a student or family during the national emergency under the CARES Act should not be counted toward taxed or untaxed income in the Needs Analysis formula for the Expected Family Contribution for the current or any upcoming award years.
- Allows financial aid administrators to determine that a single unemployed person has zero income earned from work within Needs Analysis during the so-called “Professional Judgement” analysis instead of looking at previous year tax data to help those recently unemployed due to the coronavirus.
- Allows financial aid administrators to also make appropriate adjustments for other family members if the student is married or a dependent student, including considering an unemployed family member’s income earned from work as zero.
- Requires that the Secretary adjusts program review criteria for institutions of higher education during this time to account for an unusually high number of professional judgements.
- Adds notice on FAFSA applications for 2020-2021 award year (current application) and 2021-2022 award year (application available in October) for professional judgment and dislocated worker.
- Adds a temporary check box on the FAFSA for applicants to report incidences of recent income loss to financial aid administrators to help those recently unemployed due to the coronavirus.