

# OPRA MEMBER UPDATE

MAY 13, 2020

## OPRA Testimony on Civil Liability Bill

[Senate Bill 308](#) would provide immunity from civil litigation for health care workers and businesses and nonprofits. The bill is sponsored by Ohio Senator Matt Huffman. OPRA is generally supportive of the bill but feels like the current language is may leave some gray areas for protections for providers. OPRA has submitted a proposed amendment to clarify providers of services to people with intellectual and developmental disabilities will be included in the protection offered by the bill. OPRA has also submitted written testimony to the Senate Judiciary Committee outlining our support for the bill and the proposed amendment. The Committee will hold a hearing on the bill on 5/13. We believe the bill will be fast-tracked in the Senate. A corresponding bill should be introduced in the Ohio House of Representatives soon.

[Read OPRA's testimony here.](#)

## US House of Representatives Introduce COVID-19 Relief Bill

Yesterday Speaker Pelosi and the US House of Representatives introduced a \$3 Trillion [stimulus bill called the HEROES Act](#), set for a vote this Friday. The legislation includes additional stimulus checks, provisions for hazard pay and funding for state and local governments. The bill, which also includes an additional \$100 Billion in provider relief funds, is unlikely to become law soon, but we will work with national partners to keep funding for Medicaid providers a priority in any pending legislation. Our partners at ANCOR have provided an initial analysis on the bill which includes:

- "HCBS FMAP Increase: 10% FMAP bump from July 1, 2020 - June 30, 2021 (not to exceed 95%)
- For HCBS, defined by home health services, personal care services, PAC, 1915 b,c,i,j and k, 1115 waiver and "such other services specified by the Secretary".
- Includes the language "non-profit home and community-based service providers, and other entities providing home and community-based services".
- Focused areas for the fund utilization: increase rates for DSP compensation, sick leave, paid family leave, hazard pay, overtime pay and shift differential pay; Emergency supplies, etc.
- SBA Program Changes: U.S. Department of Treasury Main Street Lending program amended to explicitly include nonprofits. There is a carve-out of 25% of the total amount of the SBA program for non-profits AND 50% of that is for non-profits over 500 employees and Extends. program dates from June to Dec. 31st."

There is still a long road for these items to be signed into law. OPRA will continue to work with national partners on priorities available through this upcoming legislation.



# OPRA MEMBER UPDATE

MAY 13, 2020

## Ohio Retail Reopening

As Ohio moves into the first phase of its economic reopening, retail stores were able to open as of May 12th, with services such as tattoo, piercing and massage parlors to open on Friday. These operations will still have to comply with social distancing measures including 6 foot distancing, physical barriers to maintain distance and face coverings/masks for employees. Yesterday, [Governor DeWine urged caution for the reopening as COVID-19 continues to spread in Ohio.](#)

## DODD Reopening "Core Committee" Will Meet Thursday

On Friday evening, [DODD released guidance](#) clarifying team processes and provider assurances for people looking to return to day and vocational services. As members begin to implement these processes, we are very aware much of this guidance is/will be very difficult to implement, particularly the 6 ft distancing requirements for transportation services. The 'Core Committee' will be meeting on Thursday, and we hope to see revised guidance out over the next several days. Please reach out to Scott at [Smarks@opra.org](mailto:Smarks@opra.org) with any questions or feedback about the guidance.

## DODD Memo Monday

The Weekly roundup included the introduction of DODD's new "Did You Notice?" Training module, updates on MRC, First Aid/CPR updates and franchise permit fee invoicing. [To read the memo, click here.](#)

## Vorys Return To Work Webinar

Our partners at Vorys will be hosting another 'return to work' webinar tomorrow, focusing on many of the issues integral to reopening. "In this ninth weekly edition of our weekly COVID-19 webinar, Vorys attorneys will continue to focus on the legal and business issues related to the eventual return to the workplace. Topics will focus on legal developments related to businesses reopening as well as litigation matters that have begun to arise. Attorneys will briefly address each of the following topics and field as many questions as possible:

- Restaurants: reopening orders and considerations
- Administering and navigating PPE in the workplace
- ADA accommodations and requirements
- Updates to state-wide orders
- Unemployment compensation
- Update from Washington"

[Click here to Register.](#)

