

# COVID-19 AND THE IMPACT ON CONSUMERS



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October 19, 2020

## **WEST WING ADVOCATE**

The COVID-19 pandemic has demonstrated unequivocally that over the last two decades corporations have benefitted from diminishing regulations while consumers have struggled to gain a foothold in an unfair marketplace.<sup>i</sup> This dynamic was on full display earlier this year as the economy ground to a halt and those same corporations were provided government bailouts<sup>ii</sup> while consumers pleaded for assistance only to be told that the money had dried up.<sup>iii</sup> Consumers were told that their best option was to return to jobs that may or may not exist while employers were lobbying for liability protection in the likely event that workers would become infected by the coronavirus.<sup>iv</sup>

Not only were companies allowed to wildly profit off of the COVID-19 emergency, some did so while literally selling toxic goods. Many regulations were paused or lifted in the rush to get items like hand sanitizer onto store shelves. This allowed companies that were not previously registered with the Food and Drug Administration to temporarily manufacture and sell hand sanitizer.<sup>v</sup> Unsurprisingly, some of these companies began cutting corners to increase profits and the FDA soon had to issue warnings of toxic hand sanitizer.<sup>vi</sup> It comes as no shock then to hear that, with reports of rushed testing and trials, nearly half of Americans say they would not get a COVID-19 vaccine if it became available today.<sup>vii</sup>

It has been over 20 years since there was an Office of Consumer Affairs in the White House. Since then, the agencies intended to protect consumers have seen their regulatory abilities slowly and consistently whittled away in the interest of allowing corporations to set records on Wall Street. As the 2020 Presidential election nears, whichever candidate wins must re-instate the White House Office of Consumer Affairs and appoint a consumer czar that will unabashedly advocate for the American consumer.

In what appears more and more like a bygone era of government responsibility, the Office of Consumer Affairs, under the leadership of former NCL president Esther Peterson, spearheaded efforts to put nutritional labels on food and promoted truth in advertising.<sup>viii</sup> These are considered bare minimum thresholds of consumer protection practices today. We need a similarly bold advocate in the West Wing today that will push for tomorrow's standards of consumer protection.

## A CALL FOR ACTION

The COVID-19 Pandemic has upended life for American consumers in ways not seen in nearly 100 years. The focus of the response rightly belongs front and center on providing proper medical treatment to those in need and helping communities exercise care to halt the spread of the virus. A greater focus on consumer issues must also be an integral part of the discussion. Trillions of dollars in relief funds flowing to businesses and individuals created opportunities for profiteering and consumer rip-offs. In addition, the pandemic has highlighted the need to improve conditions for all consumers once the immediate COVID-19 threat subsides.

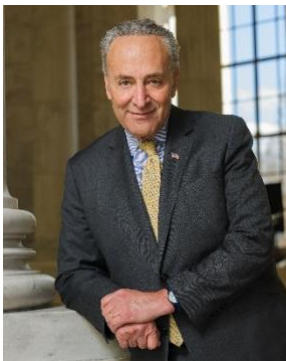
Contact Congressional leadership today and tell them you want real and lasting action taken to protect consumers and promote public safety.

Senate Majority Leader  
Mitch McConnell



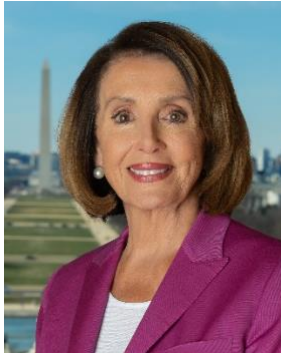
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## ABOUT NCL

The National Consumers League provides government, businesses, and other organizations with the consumer's perspective on topics such as fraud, product safety, consumer education, privacy, health care, food safety and child labor. NCL's mission is to protect and promote social and economic justice for consumers and workers in the United States and abroad.

For more than 100 years, the National Consumers League has followed these founding principles: That the working conditions we accept for our fellow citizens should be reflected by our purchases, and that consumers should demand safety and reliability from the goods and services they buy.

Promoting a fair marketplace for workers and consumers was the reason for the League's founding in 1899 and still guides us into our second century.

## CONTACT NCL

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## NCL SUPPORTED LEGISLATION:

- **HR 6472**, the COVID-19 Price Gouging Prevention Act
- **S 3727**, Cash Refunds for Coronavirus Cancellations Act of 2020

## MOVING BEYOND COVID-19:

- **HR 1500**, the Consumers First Act.
  - Passed in the House (231-191). It is time for the Senate to act!
- **HR 3248**, the Better Oversight of Secondary Sales and Accountability in Concert Ticketing (BOSS ACT) of 2019

[For more information on these bills, see the Appendix to this report.](#)

## **PRICE GOUGING AND PROFITEERING**

As COVID-19 swept across the country, so did reports of price gouging on products like bleach, face masks, hand sanitizer, and toilet paper.<sup>ix</sup> One third-party seller on Walmart.com was charging nearly \$50 for an 8-ounce bottle of Purell hand sanitizer.<sup>x</sup> Making matters worse, the Trump Administration essentially left the task of acquiring protective masks and other necessities to state and local governments – forcing them to outbid each other and other countries to obtain desperately needed medical gear.<sup>xi</sup>

In response, Attorney General William Barr wrote that the Department of Justice would “aggressively pursue bad actors who amass critical supplies either far beyond what they could use or for the purpose of profiteering.” He further stated that “[s]carce medical supplies need to be going to hospitals for immediate use in care, not to warehouses for later overcharging.”<sup>xii</sup> The fact remains that price-gouging enforcement has largely remained the responsibility of the states.

More than 30 states have some form of price-gouging laws on the books. These are typically triggered by the declaration of a statewide or national public emergency. Arizona, Colorado, Delaware, Nebraska, and Nevada have no specific price-gouging laws at all.<sup>xiii</sup> As states begin to re-open and public emergency declarations end, these products will still be in high demand. There is no guarantee that prices will not again be raised far beyond their fair market value.

The problems are not isolated to products sold during or directly related to the COVID-19 outbreak. Many airlines and entertainment ticket sellers refused to give full refunds to consumers who purchased tickets before the pandemic swept across the world. Airlines resisted issuing refunds – even when they cancelled flights – or when consumers canceled their tickets, citing safety concerns. Companies like Ticketmaster and Live Nation Entertainment insisted that they did not have to give refunds when thousands of events were canceled – arguing that events would likely be rescheduled for a later date.<sup>xiv</sup>

Overall, the situation is summed up by one local government official: “[W]e can’t rely on the federal government.”<sup>xv</sup> That must change. States are already overburdened and that is only going to be compounded in the years to come as states see reduced tax revenues in the aftermath of the COVID-19 crisis.<sup>xvi</sup> It is imperative that Congress act to support state governments and all consumers.

## **SCAMS TARGETING STIMULUS CHECKS**

The Coronavirus Aid, Relief, and Economic Security (CARES) Act made most U.S. taxpayers with an adjusted gross income up to \$75,000 for individual filers and \$150,000 for joint filers, eligible to receive \$1,200 per adult and an additional \$500 per child. As many as 150 million Americans were eligible. Almost immediately scammers began contacting potential recipients with phishing emails, texts, and phone calls seeking PayPal account information, Social Security numbers, and bank account numbers to swindle consumers out of their stimulus payment.<sup>xvii</sup>

The issue was made worse when haphazard efforts by the Federal government only added to the confusion. The Treasury Inspector General for Tax Administration issued a press release advising taxpayers that any contact from the IRS would come by mail and that the IRS would not require any form of payment by prepaid debit card or similar means.<sup>xviii</sup> Two months later, people began receiving prepaid debit cards from “Money Network Cardholder Services” that contained their stimulus payments. But not enough effort was made to inform people that they should expect to see their stimulus payments coming in this manner. The CFPB created a blog post explaining how to use the cards *after* they were shipped.<sup>xix</sup> By that time many consumers assumed these prepaid debit cards, coming from an unknown source – certainly not addressed from the IRS or the Treasury – were a scam and threw them into the trash.<sup>xx</sup>

Stimulus-related scams are also being perpetrated by those tasked with protecting vulnerable consumers. A Federal Trade Commission (FTC) blog post revealed that the agency received several complaints from states’ attorneys general that nursing homes were wrongfully seizing stimulus checks from residents. The FTC explained that, as tax credits, the stimulus checks were not considered resources for programs, like Medicaid. Therefore, the nursing homes had no right to the money.<sup>xxi</sup>

Congress needs to take the necessary steps to ensure that funds from the stimulus checks end up in the accounts of Americans who are in desperate need of assistance.

### **NCL SUPPORTED LEGISLATION:**

- **HR 6435**, the Combating Pandemic Scams Act of 2020
- **HR 6544**, the Payday and Predatory Loans Moratorium Act of 2020
- **HR 6576**, the Stop Overdraft Profiteering During COVID-19 Emergency Act of 2020
- **HR 6370**, the Disaster Protection for Workers’ Credit Act

### **MOVING BEYOND COVID-19:**

- **HR 3375**, the Stopping Bad Robocalls Act
  - Passed in the House with wide, bipartisan support (429-3). It is time for the Senate to act!
- **HR 4254**, the Overdraft Protection Act of 2019
- **HR 3621**, the Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency (CREDIT) Act
  - Passed in the House (221-189). It is time for the Senate to act!

[For more information on these bills, see the Appendix to this report.](#)

## NCL SUPPORTED LEGISLATION:

- **HR 6299**, the Rapid Coverage of COVID-19 Vaccine Act of 2020
- **HR 6568**, the Coverage for COVID-19 Treatment Act of 2020
- **S 3442**, the Care for COVID-19 Act
- **S 3564**, the Ensuring Treatment for COVID Act

## NCL OPPOSED LEGISLATION:

- **HR 6253**, the Crowdfunding to Combat the Coronavirus Act

## MOVING BEYOND COVID-19:

- **HR 2862**, the Vaccine Awareness Campaign to Champion Immunization Nationally and Enhance Safety (VACCINES) Act
- **HR 3630**, the No Surprises Act

[For more information on these bills, see the Appendix to this report.](#)

## HEALTH CARE

### TESTING

In its early responses to the pandemic, Congress mandated free testing for the coronavirus.<sup>xxii</sup> While NCL is supportive of such action, media and government reports of the widespread inability to actually obtain a coronavirus test are alarming. To compound the problem, in the rush to get antibody tests to market, the Food and Drug Administration (FDA) allowed more than 100 tests to enter the market without properly reviewing them. As a result, and unsurprisingly, many of these tests proved unreliable. The FDA was forced to issue a warning to test manufacturers and to begin review on all tests.<sup>xxiii</sup>

### TREATMENT

While testing may be free, treatment is not. Reports have shown that costs for COVID-19 treatment can run into the tens of thousands of dollars.<sup>xxiv</sup> This can be financially devastating to those that are not insured. It can be deadly to those that are uninsured if they delay treatment or seek ineffective, alternative remedies. Products like teas, essential oils, tinctures and colloidal silver are being falsely advertised as proven methods to preventing infection or treating COVID-19.<sup>xxv</sup> In the event that someone is unfortunate enough to pay the elevated prices for these products, they may be further shocked to discover that the product not only does not work as promised but may also be counterfeit or fake.<sup>xxvi</sup>

### VACCINE CONFIDENCE

Due to COVID-19-imposed lockdowns, routine vaccinations across all age groups have declined by 30.1 percent since 2019, with the largest decline observed among ages 19-49, at 60.5 percent.<sup>xxvii</sup> Consumers belonging to medically underserved communities and people with underlying health conditions are more vulnerable to [adverse outcomes](#), should they develop COVID-19.<sup>xxviii</sup> A decline in vaccination rates will further compromise herd immunity and endanger public health. Minority communities are among the hardest hit during this pandemic.

NCL has strongly urged public health agencies to increase and enhance infrastructure regarding vaccine confidence and has called for effective public messaging and strong vaccine recommendations to ensure that the American public feels safe, informed, and empowered in their decisions to vaccinate once a COVID-19 vaccine becomes available.

## **STANDING UP FOR ESSENTIAL WORKERS**

Over **40 million** Americans filed for unemployment because they lost their jobs as a direct result of COVID-19.<sup>xxix</sup> Millions of other workers were expected or required to continue punching the timeclock at their places of employment because they were deemed “essential workers.” The list of essential workers included occupations on the front lines of caring for those sickened by the pandemic. It also included many who play a critical role in the many other functions that make our economy run, including delivery drivers, grocery stockers, fast food workers, and meat processing plant employees. They continue to do their work at considerable risk to themselves and their families. In many cases, they were not provided basic personal protective equipment (PPE) like gloves and masks. The nature of their work made following the social distancing guidelines next to impossible. In New York City, 41 transit workers died. Workers in the nation’s largest grocery stores died of COVID-19.<sup>xxx</sup> The CDC reported that nearly 5,000 meat processing plant workers became ill and 20 died.<sup>xxxi</sup>

Senator Sherrod Brown (D-OH) has called for premium pay, equivalent to time and a half, to be retroactively paid to all “workers on the frontlines of the coronavirus pandemic.”<sup>xxxii</sup> Senate Democrats built on this and have called for the next round of stimulus legislation to include “pandemic premium pay.” The plan would give those deemed essential workers “a raise of an additional \$13 per hour from the start of the public health emergency until December 31, 2020.” Additionally, the plan calls for a “\$15,000 recruitment incentive for health and home care workers and first responders.”<sup>xxxiii</sup>

On the other side of the aisle, Senate Majority Leader Mitch McConnell (R-KY) and House Minority Leader Kevin McCarthy (R-CA) called for liability protection for business owners from lawsuits related to COVID-19 exposure. This comes just as millions of workers are being called back with little promise that necessary protections are being put in place to ensure their safety. In fact, some state governments have warned employees that a refusal to return to work, regardless of safety concerns, will result in a loss of unemployment coverage.<sup>xxxiv</sup>

### **NCL SUPPORTED LEGISLATION:**

- **HR 6559**, COVID-19 Every Worker Protection Act of 2020
- **HR 6332**, the Relief for Consumer During COVID-19 Act of 2020
- **HR 6321**, Financial Protections and Assistance for America’s Consumers, States, Businesses, and Vulnerable Populations Act
- **HR 6370**, Disaster Protection for Workers Credit Act of 2020
- **S 3508**, Disaster Protection for Workers’ Credit Act of 2020
  - The Senate version of HR 6370. The Senate must take proactive measures.

### **NCL OPPOSED LEGISLATION:**

- **S 4317**, the Safeguarding America’s Frontline Employees to Offer Work Opportunities Required to Kickstart the Economy (SAFE TO WORK) Act

### **MOVING BEYOND COVID-19:**

- **HR 582**, the Raise the Wage Act
  - Passed in the House (231-199). It is time for workers pay to rise to match their essential status.
- **HR 1423**, the Forced Arbitration Injustice Repeal (FAIR) Act
  - Passed in the House (225-186). It is time for the Senate to act!

[For more information on these bills, see the Appendix to this report.](#)

## NCL SUPPORTED LEGISLATION

- **S 3578**, the COVID-19 Funding Accountability Act
- **HR 6479**, Taxpayer Accountability for Airlines Relief Act

## **TAX DOLLAR ACCOUNTABILITY**

Congress launched an unprecedented effort to infuse the American economy with trillions of dollars just as the pandemic shut down businesses and resulted in 40 million Americans applying for unemployment. Many ordinary oversight and regulatory measures that would normally be put in place were left out of legislation to expedite getting money into the hands of desperate consumers. Issues began bubbling to the surface almost as soon as the money began flowing.

With the passage of the CARES Act, Congress allocated \$349 billion through the Paycheck Protection Program. The grants were intended for small businesses impacted by COVID-19. That money ran out in 13 days. It soon became clear that many of these grants were not going to businesses that were small or suffering badly. Many national chains, the Los Angeles Lakers, and Judy Kudlow, wife of President Trump's economic adviser Larry Kudlow, received an emergency grant. Many of these recipients ultimately returned the money after public outcry. Still, that did little to help those small businesses and nonprofits that were struggling to make payroll and were unable to get funds during the initial round.

The CARES Act also included grants of \$25 billion to passenger airlines. The money is directed to airlines so that they might continue to pay their employees while the industry suffers its biggest downturn in history. However, the law has very few conditions to prevent the airlines from spending the money outside of its intended purpose including lobbying to reduce even the very minimal consumer protection legislation they are supposed to comply with.<sup>xxxv</sup>

[For more information on these bills, see the Appendix to this report.](#)



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Cover Images (Clockwise from Top Left):

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# **APPENDIX**

## **PRICE GOUGING AND PROFITEERING**

### **NCL Supported Legislation:**

#### **HR 6472**, the COVID-19 Price Gouging Prevention Act

Status: Referred to the House Committee on Energy and Commerce

Sponsor: Rep. Jan Schakowsky (D-IL-09) Co-Sponsors: 31 Democrats

Summary: This bill makes it unlawful for any person to sell or offer for sale a consumer good or service during a public health emergency resulting from COVID-19 at a price that is unconscionably excessive, and indicates that the seller is using the circumstances related to the public health emergency to increase prices unreasonably.

#### **S 3727**, Cash Refunds for Coronavirus Cancellations Act of 2020

Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Sponsor: Sen. Ed Markey (D-MA) Co-Sponsors: 7 Democrats

Summary: Requires all air carriers and ticket agents to offer full cash refunds for all cancelled tickets during the COVID-19 pandemic regardless if the air carrier, ticket agent, or ticket holder initiated the cancellation.

### **Moving Beyond COVID-19**

#### **HR 1500**, the Consumers First Act

Status: **Passed in the House (231-191).**

Referred to the Senate Committee on Banking, Housing, and Urban Affairs

Sponsor: Rep. Maxine Waters (D-CA-43) Co-Sponsors: 29 Democrats

Summary: Strengthens the Consumer Financial Protection Bureau (CFPB) by ensuring that the agency is adequately staffed, establishing duties for political appointees and career officials, and mandating that consumer complaints are made public.

#### **HR 3248**, the Better Oversight of Secondary Sales and Accountability in Concert Ticketing (BOSS ACT) of 2019

Status: Referred to the Subcommittee on Consumer Protection and Commerce

Sponsor: Rep. Bill Pascrell (D-NJ-09) Co-Sponsors: 16 Democrats

Summary: Directs the Federal Trade Commission (FTC) to promulgate rules regarding transparency in primary and secondary ticket sales. Requires ticket sellers to make disclosures to consumers regarding ancillary charges and refunds. Makes these ancillary charges fully refundable. Primary ticket sellers cannot restrict the resell of tickets. Prohibits secondary sellers from selling the same seat to multiple persons at the same time. The FTC and state attorneys general are given enforcement authority of these rules.

## SCAMS TARGETING STIMULUS CHECKS

### **NCL Supported Legislation**

#### **HR 6435**, the Combating Pandemic Scams Act of 2020

Status: Referred to the House Committee on Energy and Commerce  
Sponsor: Rep. Buddy Carter (R-GA-01) Co-Sponsors: 3 Democrats, 2 Republicans  
Summary: Directs the Federal Trade Commission (FTC) to develop and disseminate information to the public about scams related to COVID-19.

#### **HR 6544**, the Payday and Predatory Loans Moratorium Act of 2020

Status: Referred to the House Committee on Financial Services  
Sponsor: Rep. Gregory Meeks (D-NY-05) Co-Sponsors: None  
Summary: Establishes a moratorium on collection efforts made by certain lenders against borrowers affect by coronavirus.

#### **HR 6576**, the Stop Overdraft Profiteering During COVID-19 Emergency Act of 2020

Status: Referred to the House Committee on Financial Services  
Sponsor: Rep. David Cicilline (D-RI-01) Co-Sponsors: 13 Democrats  
Summary: Suspends non-sufficient fund and overdraft coverage fees during a major disaster or emergency declaration and for 120 days after the end of the incident period. Prohibits reporting use of overdraft coverage to credit agencies during the same period.

#### **HR 6370**, the Disaster Protection for Workers' Credit Act

Status: Referred to the House Committee on Financial Services  
Sponsor: Rep. Brad Sherman (D-CA-30) Co-Sponsors: 14 Democrats  
Summary: Requires the Consumer Financial Protection Bureau to establish a website where consumers can report economic hardship as a result of the COVID-19 pandemic or other major disasters. Credit reporting agencies would be required to provide unlimited free credit reports and free credit scores upon request during major disasters. Furnishers of credit information would be barred from reporting adverse credit information that is the result of any inaction or action that occurred during the COVID-19 pandemic.

### **Moving Beyond COVID-19**

#### **HR 3375**, the Stopping Bad Robocalls Act

Status: **Passed in the House (429-3).**  
Received in the Senate.  
Sponsor: Rep. Frank Pallone (D-NJ-06) Co-Sponsors: 169 Democrats, 68 Republicans  
Summary: The Federal Communications Commission must take regulatory action to prevent illegal robocalls and text messages.

**HR 4254**, the Overdraft Protection Act of 2019

Status: Referred to the House Committee on Financial Services

Sponsor: Rep. Carolyn Maloney (D-NY-12) Co-Sponsors: 19 Democrats

Summary: Prohibits depository institutions from engaging in unfair or deceptive acts in connection with overdraft coverage. Depository institutions would be required to disclose overdraft coverage fees, disclose to consumers that their transaction may be declined if there are insufficient funds in the account, and charge a fee to the consumer if a transaction is declined. The number of overdraft fees a consumer may be charged each month and year would be limited.

**HR 3621**, the Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency (CREDIT) Act

Status: **Passed in the House (221-189).**

Received in the Senate.

Sponsor: Rep. Ayanna Pressley (D-MA-07) Co-Sponsors: 1 Democrat

Summary: Credit reporting companies must provide consumers with more information on their credit reports and scores, and take additional steps to ensure the information is accurate and complete. An amendment to the bill by Rep. Lacy Clay (D-Mo.) allows furnishers to provide credit reporting companies with positive information on consumers who make utility and rent payments. Furnishers could not provide information on consumers who withhold rent payments because of habitability or sanitary violations.

**HEALTH CARE**

**NCL Supported Legislation**

**HR 6299**, the Rapid Coverage of COVID-19 Vaccine Act of 2020

Status: Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor.

Sponsor: Rep. Joe Courtney (D-CT-02) Co-Sponsors: 1 Democrat

Summary: Health plans must cover services to prevent or diagnose COVID-19 that are recommended by the United States Preventive Services Task Force or the Advisory Committee on Immunization Practices within 15 days instead of the ordinary timeframe of one year.

**HR 6568**, the Coverage for COVID-19 Treatment Act of 2020

Status: Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor.

Sponsor: Rep. Lisa Blunt Rochester (D-DE At-Large) Co-Sponsors: 5 Democrats

Summary: This bill requires group health plans and health insurance issuers offering group or individual health insurance coverage to provide coverage without imposing any cost sharing requirements for certain items and services furnished during any portion of the COVID-19 emergency period.

**S 3442, the Care for COVID-19 Act**

Status: Read twice and referred to the Committee on Finance  
Sponsor: Sen. Cory Booker (D-NJ) Co-Sponsors: 1 Democrat  
Summary: Requires private health insurance plans to cover, without any cost-sharing requirement, inpatient and outpatient services related to the diagnosis, care, and treatment of COVID-19. A special enrollment period would be mandated for individuals who are diagnosed with, or presumed diagnosed with, COVID-19 to obtain coverage through the individual or group marketplace, a health insurance exchange, or an employer-funded health plan.

**S 3564, the Ensuring Treatment for COVID Act**

Status: Read twice and referred to the Committee on Finance  
Sponsor: Sen. Bob Casey (D-PA) Co-Sponsors: 1 Democrat  
Summary: Requires state Medicaid programs to cover treatment for COVID-19. State Medicaid programs would also cover COVID-19 testing and treatment for uninsured individuals. Coverage would be provided with no cost-sharing. State Medicaid programs would be barred from imposing cost-sharing for COVID-19 vaccines.

**NCL Opposed Legislation**

**HR 6253, the Crowdfunding to Combat the Coronavirus Act**

Status: Referred to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce.  
Sponsor: Rep. Patrick McHenry (R-NC-10) Co-Sponsors: 4 Republicans  
Summary: Establishes an award for the successful development of a vaccine for COVID-19 and grants exemptions from specific Securities and Exchange Commission (SEC) registration requirements to issuers of securities responding to the COVID-19 outbreak. The bill sets a low threshold for efficiency of a potential vaccine at one that reduces the incidence and mortality rate of COVID-19 by more than 50%. The bill does not ensure that the vaccine would be covered by private insurance, Medicaid/Medicare recipients, or free to those that are uninsured. Instead the bill only stipulates that the vaccine be affordable and widely available to the public. Issuers of securities would not be subject to joint and several liability for certain claims.

**Moving Beyond COVID-19**

**HR 2862, the Vaccine Awareness Campaign to Champion Immunization Nationally and Enhance Safety (VACCINES) Act**

Status: Referred to the Subcommittee on Health  
Sponsor: Rep. Kim Schrier (D-WA-08) Co-Sponsors: 20 Democrats, 9 Republicans  
Summary: Directs the Centers for Disease Control and Prevention (CDC) to develop a national surveillance system to monitor vaccination rates, and conduct a



national campaign to increase awareness of the importance of vaccines. The National Vaccine Advisory Committee is tasked with assessing national confidence in vaccines.

**HR 3630, the No Surprises Act**

**Status:** Forwarded by Subcommittee to Full Committee by Voice Vote  
**Sponsor:** Rep. Frank Pallone (D-NJ-06)      **Co-Sponsors:** 1 Democrat, 2 Republicans  
**Summary:** This bill requires insurers offering plans that cover emergency services to bill plan holders no more than the median in-network rate for a particular emergency service, even if the service provider is out of network. The bill further prohibits insurers from billing plan holders more than the median in-network rate for nonemergency services provided by out-of-network providers at in-network facilities. Out-of-network providers may not bill plan holders for the difference between the in-network and out-of-network rates for emergency services. The bill prohibits out-of-network providers from billing plan holders for the difference in rates for nonemergency services provided at an in-network facility unless the provider complies with specified notice and consent requirements. Even when complying with these requirements, an out-of-network provider may not charge plan holders for the difference in rates for such nonemergency services if the provider is based at the in-network facility and is the only provider available to deliver the particular treatment or service at the facility. The Department of Health and Human Services must provide grants to states to establish or maintain All Payer Claims Databases, which publish claims and payment information from insurers.

**STANDING UP FOR ESSENTIAL WORKERS**

**NCL Supported Legislation**

**HR 6559, the COVID-19 Every Worker Protection Act of 2020**

**Status:** Referred to the Committee on Education and Labor and the Committee on Energy and Commerce.  
**Sponsor:** Rep. Bobby Scott (D-VA-03)      **Co-Sponsors:** 116 Democrats, 4 Republicans  
**Summary:** Requires the Department of Labor to issue an emergency temporary occupational safety or health standard and a permanent standard to protect health care sector employees, paramedic and emergency medical services employees, and other employees at high risk from occupational exposure to COVID-19. The Centers for Disease Control and Prevention must collect and make public information regarding employee exposure in these occupations and provide guidance to further protect such employees.

**HR 6332, the Relief for Consumer During COVID-19 Act of 2020**

**Status:** Referred to the House Committee on Financial Services

Sponsor: Rep. Joyce Beatty (D-OH-03) Co-Sponsors: 1 Democrat  
Summary: This bill restricts collection of consumer debts during the COVID-19 pandemic. Actions such as repossessions, foreclosure and eviction, litigation to collect a debt, and termination of utility service would be suspended during the emergency period.

**HR 6321**, the Financial Protections and Assistance for America's Consumers, States, Businesses, and Vulnerable Populations Act

Status: Referred to the Committees on Financial Services, Ways and Means, Education and Labor, Small Business, the Judiciary, and Agriculture

Sponsor: Rep. Maxine Waters (D-CA-43) Co-Sponsors: None

Summary: This bill provides financial protections and assistance for America's consumers, States, businesses, and vulnerable populations during the COVID-19 emergency and to recover from the emergency.

**S 3508**, the Disaster Protection for Workers' Credit Act of 2020

Status: Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

Sponsor: Sen. Brian Schatz (D-HI) Co-Sponsors: 2 Democrats

Summary: This is the Senate version of HR 6370 discussed in the Scams Targeting Stimulus Checks section.

### **NCL Opposed Legislation**

**S 4317**, the Safeguarding America's Frontline Employees to Offer Work Opportunities Required to Kickstart the Economy (SAFE TO WORK) Act

Status: Read twice and referred to the Committee on the Judiciary

Sponsor: Sen. John Cornyn (R-TX) Co-Sponsors: 23 Republicans

Summary: A proverbial wolf in sheep's clothing. This bill creates an exclusive cause of action for claims related to COVID-19 exposure or medical care. The bill bars lawsuits brought under state and federal common law or medical malpractice statutes. Plaintiffs are required to demonstrate gross negligence or willful misconduct on the behalf of the defendants. At the same time, the bill limits the amount of compensatory and punitive damages that plaintiffs could claim even if they meet the heightened standard.

### **Moving Beyond COVID-19**

**HR 582**, the Raise the Wage Act

Status: **Passed in the House (231-199).**

Placed on Senate Legislative Calendar under General Orders.

Sponsor: Rep. Bobby Scott (D-VA-03) Co-Sponsors: 205 Democrats

Summary: Increases the federal minimum wage to \$15 an hour from \$7.25 by 2025, and then adjusted annually based on median wages.

**HR 1423**, the Forced Arbitration Injustice Repeal (FAIR) Act

Status: **Passed in the House (225-186).**

Received in the Senate and referred to the Committee on the Judiciary

Sponsor: Rep. Hank Johnson (D-GA-04) Co-Sponsors: 220 Democrats, 2 Republicans

Summary: This bill bars employment and consumer agreements that require arbitration to resolve legal disputes or that limit the ability to participate in class actions.

**TAX DOLLAR ACCOUNTABILITY**

**NCL Supported Legislation**

**S 3578**, the COVID-19 Funding Accountability Act

Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs

Sponsor: Sen. Chuck Grassley (R-IA) Co-Sponsors: None

Summary: This bill provides oversight for the use of assistance provided to businesses under COVID-19 relief programs. A COVID-19 Relief Oversight Board would be established. The bill sets limits on compensation and bonuses for senior executives of private entities that receive certain emergency financial assistance. A special inspector general office for COVID-19 relief programs is established along with the Congressional Oversight Panel in the legislative branch.

**HR 6479**, the Taxpayer Accountability for Airlines Relief Act

Status: Referred to the Subcommittee on Aviation

Sponsor: Rep. Tim Burchett (R-TN-02) Co-Sponsors: None

Summary: This bill requires air carriers receiving federal loans under the Coronavirus Aid, Relief, and Economic Security Act due to COVID-19 to freeze compensation of executives at their 2019 salary if that executive earned more than \$425,000 in 2019 until the air carrier repays such loans.