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Subject: Update on H.R. 6201 – Senate Action

Issues Alert

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Update on H.R. 6201 – Senate Action March 18, 2020

Yesterday the ADA wrote to let you know that the House had passed a second legislative package (H.R. 6201) related to COVID-19. This package focused on short-term issues such as child and elderly nutrition programs; testing for COVID-19; unemployment benefits; and sick leave/family medical leave. H.R. 6201 has been sent from the House to the Senate and is now on the Senate floor for consideration.

The ADA has been in constant communication with Capitol Hill committees and offices regarding this legislation and is working with a large coalition of other small business organizations to make additional changes. ([SEE LETTER](#))

We believe that our efforts, coupled with those of other organizations, made a difference. But while important changes were made to the original House bill—before it was amended and passed by the House—some provisions related to sick leave and family medical leave remain a concern. These provisions, while beneficial to employees in a dental practice, could still cause a financial burden to dentist owners and other small businesses.

We know that dentist owners care deeply about their employees, but we are working to ensure that dental offices are exempted from these requirements so that the dentist owner has the flexibility to make the business decisions that they need to make under these difficult circumstances.

Under the sick leave provisions in the current legislation, dentist owners could be required (under certain circumstances) to pay two weeks of sick leave to employees. That said, the bill allows the Secretary of Labor the regulatory authority to exempt small businesses with fewer than 50 employees from the requirement to offer this leave to employees whose child's school or daycare was closed due to the coronavirus *"when the imposition of such requirements would jeopardize the viability of the business as a going concern."* We have drafted a letter to the Secretary of Labor requesting that dental practices of fewer than 50 employees be granted that exemption.

Likewise, under the family medical leave provisions, dentist owners could be required to pay for leave for those employees who must care for their children who do not have access to school or child care. Again, the Secretary of Labor has the regulatory authority to exempt small businesses with fewer than 50 employees from this provision and our letter to the Secretary requests that exemption.

A number of Senators share our concerns and will seek to amend the bill. We will continue to work with those offices to produce a final bill that takes into consideration the perspective of our dentists, as well as their employees and patients. In addition, ADA staff has spoken to staff on the White House Domestic Policy Council to lobby for these exemptions and to make Small Business Administration loans readily available to dentists who may need them.



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