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**From:** American Dental Association <ada@messaging.ada.org>  
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**Subject:** Congress Passes Second Coronavirus Legislation Package, Now Working On Third

Issues Alert

ADA®



## Congress Passes Second Coronavirus Legislation Package, Now Working On Third

*Association Continues to Lobby Congress on Bills' Impact on Dental Offices*

The House and Senate have passed legislation, the “Families First Coronavirus Response Act,” that was signed into law last night. The three issues of most interest to dental practices include: emergency paid sick leave; emergency expansion of family and medical leave; and tax credits.

Under the **sick leave provisions**, dentist owners could be required—under certain circumstances—to pay two weeks of sick leave to employees. Those circumstances include:

1. The employee is subject to a federal, state, or local quarantine or isolation order;
2. The employee has been advised by a health care provider to self-quarantine;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
4. The employee is caring for an individual to which points 1 or 2 apply;
5. The employee is caring for a child if the child’s school or place of care has been closed; or,

6. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretaries of Labor and the Treasury.

However, 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."*

A broad coalition of dental organizations has sent a letter to the Secretary of Labor requesting that dental practices of fewer than 50 employees be granted that exemption (SEE LETTER).

Likewise, under the **family medical leave provisions**, dentist owners could be required to pay for leave, but only for those employees who must care for their children because their school or child care center is closed. 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.

Without the exemption, those dentist employers—with employees who must care for their children because their school or child care center is closed—must provide up to 12 weeks of leave. The first two weeks are unpaid and the next 10 weeks are paid. However, employees may opt to use the paid leave benefit or other accrued paid leave (vacation, sick or otherwise) during those first two weeks of unpaid time. The remainder of the 10 weeks would be paid leave provided by the employer to the covered employee.

The bill also provides employers with **tax credits against payroll taxes** to cover amounts paid under the new sick and family and medical leave benefits. This is intended to help offset the cost to employers.

The Department of Labor will put out guidance on these provisions that will help guide businesses through the regulations. We will share this information with our members as soon as it is available from the Federal Government.

**The ADA is also lobbying Congress on a third legislation package in response to the coronavirus pandemic. The ADA is asking lawmakers to include provisions on how to assist dental practices and other small businesses facing economic burdens. The ADA will be sending out another e-blast on this legislation so stay tuned for more updates.**

For a comprehensive FAQ to help explain how the federal government is responding to the coronavirus pandemic, visit the [Ways and Means website](#).

Please visit [ADA.org/virus](https://ada.org/virus) for the latest ADA information.



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