

Nebraska State and Legislative Actions:

Douglas County

On Wednesday morning, the Douglas County Board of Health announced public gatherings with more than 10 people will now be prohibited until April 30. Douglas County Health Director Adi Pour requested that the Douglas County sheriff and all chiefs of police in the county ensure compliance with the order. Pour stated that any person violating the order could be subject to a misdemeanor for each offense. Attorney General Doug Peterson and his office distributed the memo to law enforcement agencies explaining the expectation.

The order will mainly impact restaurants, bars, and daycares. All Omaha restaurants will be allowed to remain open but will have to switch entirely to take-out and/or delivery orders. Omaha bars that don't offer food will have to either shut down or regulate the number of customers in the establishment. This order does not apply to courts, healthcare providers, public utilities, critical county or city operations, distribution centers, gas stations, or stores and malls.

Day care and child facilities must ensure childcare is carried out in groups of 10 or fewer children, and that those children are kept in the same group. Groups of children are not to intermix with one another, meaning communal lunches and recesses will not be allowed to take place.

Healthcare

State Senator and Health and Human Services Committee Chairwoman Sara Howard provided updates with fellow lawmakers regarding prescription refills and insurance coverage on Tuesday. In an email, Howard stated that United Health Care, Nebraska Total Care, and WellCare have all agreed to waive cost-sharing or co-payment for both the COVID-19 test, as well as the provider visit in which the test is administered for their insured populations in Nebraska. In addition, Howard also shared that United Health Care has confirmed authorization of a one-time override of the "refill-too-soon" edit for members, except for Schedule II narcotics such as OxyContin and Hydrocodone. Howard stated: "These steps taken by our managed care organizations will be a tremendous help for our Medicaid populations who would like to get tested but are afraid of the costs associated in doing so."

Business & Employment

Another Committee leader and his staff are rolling up their sleeves in order to offer solutions to the looming unemployment problems Nebraska is facing. Business and Labor Committee Chairman Matt Hansen, as well as Business and Labor Committee Legal Counsel Tom Green, offered insight on resources available to those unable to work or are working reduced hours because of the COVID-19 outbreak:

- Short-Time Compensation

Employers can apply for this program, as well as those still working but with limited hours due to the pandemic. The Short-Time Compensation program allows employers to uniformly reduce affected employees' hours by 10 to 60 percent, while permitting the employees to receive a prorated unemployment benefit.

- Unemployment Insurance

Employees who are not able to work or are not receiving a paycheck during the pandemic period, would qualify for unemployment insurance benefits, except for those working from home or using sick time and/or vacation leave.

Because of Gov. Ricketts executive order issued on March 22, there is no waiting week for benefits to begin and will begin immediately upon approval. The normal work search requirements have also been waived, and individuals will not have to apply for jobs in order to receive benefits. Because job losses are not currently the fault of employers, benefits will not be charged against individual employers' accounts. Hansen stated that Nebraska's Unemployment Insurance Fund is currently well-funded and is expected to be able to handle the increased number of applications in the coming weeks.

Hansen warned that there may be long wait times when calling the Nebraska Department of Labor due to the increased demand for benefits, as well as the fact that DOL is dealing with the same issues many other employers across the state are right now. He also said that contractors or self-employed individuals, who do not qualify for either programs above, should stay tuned for possible federal action and benefit programs.

- Small Business Administration Loans

In today's press conference, Gov. Ricketts shared that Nebraska submitted its application to the Small Business Administration (SBA) to increase cashflow for small businesses in Nebraska. State officials have not heard back from the SBA yet, however.

- Taxes

When asked by a reporter, Gov. Ricketts stated today that there are no plans to delay the April 1st deadline for property tax payments and that Nebraska will look to federal guidance on whether to delay the April 15th deadline for state income tax filing.

- Business Closures

Aside from restaurants and bars affected by the Douglas Health County directive, other businesses will remain open and Gov. Ricketts indicated he has no intention of shutting down other private businesses. He did encourage employers to consider reducing the number of workers who need to report into the office each day through telecommuting and other similar measures.

- Grocery Stores

Kathy Siefken from Nebraska Grocery Industry also participated in today's press conference with Gov. Ricketts. She assured reporters that the supply chain in Nebraska and nationally is stable. To protect public health, grocers are asking for these additional measures: designate one family shopper per household per trip to cut down on the number of people in stores; maintain social distances of 6 ft or more with everyone, including cashiers, do not use reusable bags until further notice as they may spread the virus; offer to shop for at-risk family members and consider reserving the first hour of the grocery stores open hours for at-risk populations.

May 12 Primary

Nebraska's three largest counties will be sending vote-by-mail ballot request forms to all registered voters ahead of Nebraska's May 12 primary election. Sarpy County Election Commissioner Michelle Andahl announced the move last week, and Lancaster and Douglas Counties announced they would be following suit on Tuesday.

With questions arising over the possibility of postponing the primary or conducting the election solely by mail-in ballots, Nebraska Secretary of State Bob Evnen offered some insight on Tuesday. Evnen said that he does not foresee the primary election being postponed to a later date, as it is mandated by statute to occur on May 12th.

Last week, the Nebraska State Democratic Party called on Gov. Ricketts and Evnen to consider moving to an entirely vote-by-mail election with no in-person polling for the May primary. However, Evnen has said he opposes the idea because Nebraskans traditionally prefer voting in person. He also said that Nebraska law requires in-person voting be

available in counties with more than 10,000 people. Taylor Gage, spokesman for Gov. Ricketts stated: “We are in conversation with Secretary Evnen and will have more information at a future time.”

Housing

Nebraska Applesseed and other housing advocates have been working in Lancaster and Douglas Counties to suspend evictions in these counties during the pandemic. Today (March 18) President Donald Trump announced that the Department of Housing and Urban Development (HUD) will suspend evictions and closures of HUD-backed properties until April 30 due to the pandemic. The Federal Housing Finance Agency (FHFA) also announced that it has instructed Fannie Mae and Freddie Mac to similarly stop evictions and foreclosures for at least 60 days.¹ Last week, mayors and county administrators in localities across the country from San Francisco, Austin, TX, Boston to Miami-Dade County passed eviction moratoriums through executive measures, court orders, or police declarations.² When asked at the press conference today, Gov. Ricketts said that he “encourages landlords not to evict during this public health emergency” and to “use common sense as people will feel the economic pinch” of the public health measures Nebraska has had to put into place.

Child Welfare and Child Care

Yesterday, the Nebraska Department of Health and Human Services Division of Children and Family Services updated its Frequently Asked Questions document for childcare providers, foster care parents, and group home providers in response to coronavirus. The document can be found [here](#).

Today’s press conference outlined new rules for childcare centers. Daycares and child facilities must ensure childcare is carried out in groups of 10 or fewer children, and that those children are kept in the same group. with no shared recess or lunch periods with other children. Former State Senator and current GOP Douglas County Chairwoman Theresa Thibodeau participated in the Governor’s press conference as the owner of Primrose Academy, a childcare agency. Thibodeau encouraged daycares to prioritize children from families of first responders, health care workers, military and other personnel who are not able to work from home, adding that parents should consider giving up their daycare spot for these workers if they are currently working from home.

Federal Legislative Actions:

Today, President Trump announced that he will utilize the Defense Production Act, a measure that allows the Trump administration to direct the production of medical equipment such as personal protective equipment (PPE).³ President Trump also announced that Canada and the United States governments have reached an agreement to close their shared border to non-essential travel.⁴ On the legislative side, Senate Majority Leader Mitch McConnell gave Senate committees and subcommittees until Thursday to generate ideas for inclusion in the Senate’s coronavirus stimulus package. There appears to be disagreement even between members of the Trump administration, such as Treasury Secretary Mnuchin and GOP senators on some of the possible stimulus items, such as \$1,000 checks to adults below a certain income level.⁵

¹ <https://www.forbes.com/sites/dimawilliams/2020/03/18/hud-fhfa-to-stop-evictions-and-foreclosures-as-the-nation-fights-the-coronavirus/#445a00bf7488>

² <https://www.forbes.com/sites/dimawilliams/2020/03/14/cities-and-counties-halt-evictions-to-fight-the-coronavirus/#6f6c3f8014b8>

³ <https://thehill.com/policy/healthcare/488226-trump-invokes-defense-production-act-as-coronavirus-response>

⁴ <https://thehill.com/homenews/administration/488194-us-to-restrict-border-with-canada-amid-coronavirus>

⁵ <https://thehill.com/homenews/senate/488250-senate-gop-racing-the-clock-to-draft-stimulus-package>