



March 2020

## Policy Recommendations to Fight COVID-19 in Pennsylvania

As Pennsylvania faces its greatest crisis in decades, it is imperative that legislators take the lead and enact substantive policy reform to help Pennsylvania families and small businesses. Here are key policy recommendations:

- [Bolster our Health Care System](#)
- [Provide Flexibility to Help Workers](#)
- [Act Now to Address Fiscal Challenges](#)
- [Ensure Students can Continue to Learn](#)
- [Things Lawmakers Should Avoid](#)

### **Bolster our Health Care System**

To protect Pennsylvanians, lawmakers can and should act—by getting government out of the way. By reducing regulatory burdens, lawmakers can enable doctors, nurses, hospitals, and suppliers to increase the capacity to deliver quality health care.

- 1) **Enable telemedicine for all insurance types.** While the state and federal government have suspended barriers to the use of telemedicine for Medicaid and Medicare, and health care providers were encouraged to use telemedicine through the [waiving of fees](#), lawmakers can expand affordable telemedicine by passing [Senate Bill 857](#).
- 2) **Allow medical professionals licensed in other states to practice in Pennsylvania.** Extending medical licensing across state lines will help ensure our health systems can quickly adapt as need grows.
- 3) **Advance further regulatory changes to expand the scope of practice for medical professionals.** This includes relaxing limits [on practice for nurse practitioners](#) by passing [Senate Bill 25/House Bill 100](#). Releasing nurse practitioners from bureaucratic obstacles will enable qualified professionals to provide more care to more people.

### **Provide Flexibility to Help Workers**

Workers and small businesses are facing unprecedented closures and layoffs. Lawmakers have a critical role to play in creating maximum flexibility for workers and enabling employers to stay afloat and bounce back.

- 1) **Provide oversight and input on emergency actions.** While Governor Wolf has authority to act swiftly in an emergency, regular lawmaker input is critical to making informed decisions. In their districts, lawmakers are closer to businesses and can better see the impact of emergency action. Lawmaker feedback has already reversed the [Pennsylvania Turnpike Commission's decision](#) to close restaurants and restrooms, which

would have harmed truck drivers. After businesses and lawmakers pushed back, Wolf revised his list of “life-sustaining” businesses and delayed enforcement on businesses ordered to close given the impact this would have on the supply chain.

- 2) **Suspend occupational licensing requirements.** Occupational licensing [creates barriers to employment](#). While many businesses are closing entirely, others—such as grocery stores and delivery companies—are ramping up. At this time of upheaval, the state should ease the process for all, not just medical workers, to transition to new or temporary jobs.
- 3) **Permit small businesses to carry forward any losses.** Passing [House Bill 1603](#) and [Senate Bill 202](#) would permit small business owners to deduct net operating losses—something corporations can already do—in future tax years. Given many businesses will see immense losses this year, this is critical to their long-term survival.

### **Act Now to Address Fiscal Challenges**

Pennsylvania’s economy had been growing and revenue collections had been ahead of projections, but that trend is certain to change. A full-blown recession is possible. Lawmakers should act now to adjust spending in this new environment.

- 1) **Reduce non-essential spending.** During past economic downturns, governors froze non-essential spending. Governor Rendell [proposed \\$500 million in budget cuts](#) in 2008 *and* implemented a hiring freeze and pay freeze for non-unionized workers. Wolf’s [hiring freeze](#) was a good start, but more must be done. Lawmakers should also act to reduce unnecessary spending and prioritize programs during this crisis.
- 2) **Prepare a stop-gap budget.** No one knows how long social avoidance will be needed. It’s possible lawmakers won’t have time to deliberate a comprehensive 2020-2021 budget. To prepare for this possibility, they should develop a stopgap plan that funds essential functions and avoids a government shutdown that could cause even more pain for families.
- 3) **Move special funds (i.e., the “shadow budget”) online.** In this time of crisis, lawmakers need to be able to prioritize *all* state spending, not just the General Fund budget. This includes about \$24 billion in off-budget special funds. The state has \$340 million in the rainy-day fund that can be tapped immediately, but this is only about 1% of the General Fund budget.

### **Ensure Students can Continue to Learn**

Though forced to close their buildings, [some school districts](#) are offering online tools for students, as are [many private schools](#) and charter schools, including most cyber charters (which are even [offering to help school districts](#) develop their own online tools). But many students—including [those in Philadelphia](#) and [Erie](#)—aren’t being provided with curriculum options. Lawmakers can act to provide alternatives.

- 1) **Provide enrollment flexibility.** All Pennsylvania schoolchildren should have access to online curriculum and options to learn regardless of geographic location. Regulations that prevent students from enrolling in an online learning program offered by another school district or a charter school should be suspended.
- 2) **Fund emergency flexible education accounts.** By providing families with a \$2,000 flexible education account, lawmakers can help parents pay for unanticipated education or childcare needs—such as tutors, special education services and therapists, broadband, or curricula—for the remainder of the academic year.
- 3) **Expedite payments and redirects.** To operate effectively, public schools, including charters, must continue receiving payments. As student enrollment fluctuates over the

coming months, lawmakers should ensure these payments are made on time and that requests for tuition redirects are processed promptly.

- 4) **Let schools teach.** Lawmakers should urge Secretary of Education Pedro Rivera to clearly communicate that all school districts may resume instruction virtually without fear of IDEA (Individuals with Disabilities Education Act) law reprisal. The [U.S. Department of Education recently issued IDEA law guidance](#), which says, “*the Americans with Disabilities Act should not prevent any school from offering educational programs through distance instruction.*”

### **Things Lawmakers Should Avoid**

A health and economic crisis is no time to impose new mandates on job creators or to pick winners and losers in the marketplace. Lawmakers should avoid acting rashly and learn from past economic downturns.

- 1) **Do not impose costly mandates on small businesses.** Small businesses that are shut down or scaling back operations cannot afford additional mandates, like a [minimum wage increase](#) or a [paid leave program](#) funded by a payroll tax. Such policies make it more costly to hire and retain workers.
- 2) **Do not repeat past mistakes.** Past efforts to “stimulate” the economy in 2001, 2008, and 2009 through corporate handouts, long-term benefit programs, and stimulus spending slowed hiring. In June 2009, the [unemployment rate was higher](#) than what stimulus proponents projected without a stimulus package. In fact, the 10 states that spent the least on corporate handouts from 2007 to 2015 saw faster job growth than the 10 states that spent the most.
- 3) **Do not provide narrow subsidies to select businesses and industries.** Relief must be offered across the board, not only to the [politically connected](#).