



Senate HEALS Act vs. House HEROES Act

***Please note that this is a non-exhaustive comparison of the HEROES Act passed by the House in May and the HEALS Act recently introduced in the Senate that we will continue updating as we review the new legislation.

For more detail on what was included in each bill, check out our fact sheet on the HEROES Act [here](#) and the HEALS Act [here](#).

Is it in the bill?	HEROES Act	HEALS Act
Additional funding for states' Medicaid programs	✓	X
Dedicated additional funding for Medicaid home and community based services (HCBS)	✓	X
Maintenance of effort (MOE) provision*	✓	X
Special enrollment period for the ACA marketplace	✓	X
Funding for housing programs	✓	✓
Emergency rental assistance	✓	X
Expanded eviction and foreclosure protection	✓	X
Immunity from liability for significant harm related to COVID-19 for any business, non-profit, school, or medical provider in the vast majority of circumstances, which will threaten the safety of people with disabilities and older adults in congregate settings, make it easier for employers to escape liability for discrimination and safety violations in the workplace, and allow businesses to refuse to accommodate disabled people	X	✓
Expansion of emergency paid sick and family and medical leave	✓	X
Hazard pay for direct care workers	✓	X
Funding for the Administration for Community Living (ACL)	✓	✓
Dedicated funding for Developmental Disabilities Act programs	✓	✓
Nursing home safety provisions	✓	✓
Data collection provisions that include disability status*	✓	X
Permanent funding of the Money Follows the Person (MFP) program	X	X
Increased funding for Social Security and SSI	X	X
Nutrition assistance	✓	X
Education funding*	✓	✓
Dedicated funding for special education services	X	X
Aid to states for expanded absentee and mail-in voting and same	✓	X

day voter registration		
Supplemental unemployment compensation*	✓	✓
Additional “recovery rebate” payments	✓	✓
Provision of “recovery rebates” to all dependents	✓	✓
Provision of “recovery rebates” to people using taxpayer ID numbers	✓	X
Expansion of 90-day refills of prescriptions and medical supplies beyond Medicare and to people who rely on controlled substances	X	X
Disaster relief that is responsive to the needs of the disability community	X	X
Substance use prevention and treatment funding	✓	✓
Suicide prevention funding	✓	✓
Community mental health services funding	✓	✓
Emergency response grants to address COVID-19 related behavioral health needs	✓	✓
State and local aid for COVID-19 response	✓	X

Important notes:

- **MOE:** The HEROES Act contains a maintenance of effort (MOE) provision attached to its increased Medicaid funding to prevent states from taking Medicaid coverage away from anyone or implementing changes that would make it harder to get Medicaid coverage during the pandemic but it does not apply to New York.
- **Education:** In the HEALS Act, one third of the funding is available immediately; two-thirds of the funding is available only once there is a plan in place for reopening schools
- **Unemployment:** Supplemental unemployment compensation provided by the HEROES Act would have continued the \$600 per week supplement that expires July 31, 2020. The HEALS Act, meanwhile, provides a supplement of \$200 per week until October, then changing to a supplement to replace 70% of the person’s prior wages until the end of December 2020. It also would count the supplemental unemployment insurance as income when calculating eligibility for need-based programs like Medicaid beginning in October 2020.
- **Data collection:** Data collection in the HEROES Act includes disability status in some cases, but not all