

Law & Policy Group

GRIST

Mercer urges more healthcare, paid leave legislation and guidance

By Geoff Manville and Dorian Z. Smith
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To address the economic turmoil caused by the COVID-19 pandemic, Mercer is urging Congress and the Trump administration to respond swiftly with more healthcare and paid leave legislation and regulatory guidance for American workers and their families. In a [letter](#) to key policymakers, Mercer President and CEO Martine Ferland commended the response to date, but said it's "critical that Congress and the administration turn next to a package to help affected employers provide additional assistance to their employees."

More action needed

While the just-enacted Families First Coronavirus Response Act (FFCRA) ([Pub. L. No. 116-127](#)) incorporates many of Ferland's recommendations, her letter advocates additional healthcare and paid leave measures for employees and plan sponsors, including:

- Remove current compliance barriers to offering all — not just COVID-19-related — telemedicine services without cost sharing and to providing those services to all employees — not just those enrolled in their employer's comprehensive medical plan
- Delay employers' reporting duties under the Affordable Care Act's employer-shared responsibility provisions
- Give employers greater flexibility to use electronic delivery to meet reporting and disclosure obligations
- Clarify key aspects of the FFCRA's emergency paid leave provisions
- Create a nationally uniform and consistent paid leave compliance standard for multistate employers

Congress and the Trump administration are actively considering these issues as part of potential new guidance and a “Phase 3” economic aid package that could soon become law. The Department of Labor (DOL) has also launched a [website](#) soliciting input on guidance employers need to implement the FFCRA’s emergency paid leave requirements. The deadline for comments is March 29.

Related resources

Non-Mercer resources

- [Comment on needed guidance to implement FFCRA’s emergency paid leave](#) (DOL, March 23, 2020)
- [News release](#), Coronavirus-related paid leave for workers and tax credits for small and midsize businesses (Treasury Department, IRS and DOL, March 20, 2020)
- [Pub. L. No. 116-127](#), the Families First Coronavirus Response Act (Congress, March 18, 2020)

Mercer Law & Policy resources

- [Mercer urges immediate funding relief for DB plan sponsors](#) (March 23, 2020)
- [COVID-19 triggers new state and local paid leave benefits guidance](#) (March 21, 2020)
- [Virus aid legislation includes cost-sharing curbs, new leave rights](#) (March 18, 2020)
- [COVID-19 spurs IRS relief for HDHPs, state insurance guidance](#) (March 18, 2020)
- [Roundup: Coronavirus \(COVID-19\) updated resources for employers](#) (regularly updated)

Other Mercer resources

- [Martine Ferland’s letter on healthcare and leave recommendations for policymakers](#) (March 16, 2020)
- [Stay informed on the coronavirus](#) (regularly updated)

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