



*Week of 4-12-21
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Congressional Overview

Congress was back in session this week. The Senate held nomination votes, while the House voted on bills regarding the gender wage gap (H.R. 7) and workplace violence against healthcare and social service workers (H.R. 1195).

What Employers Need to Know About COBRA Premium Subsidies and the “American Rescue Plan”

The latest round of COVID relief legislation that was signed into law in March (the American Rescue Plan Act of 2021) included a provision to provide COBRA premium subsidies to help laid-off employees and their beneficiaries retain health insurance coverage. COBRA provides certain employees and their beneficiaries with the right to retain coverage under an employer’s group health plan for a set period of time following certain triggering events including when the employee is laid off.

Typically, the cost of the COBRA premiums are born exclusively by the individual. However, the new law provides subsidies to cover 100 percent the premiums for eligible individuals who qualify for COBRA coverage for the period from April 1, 2021 through Sept. 30, 2021. During this period, the qualifying individual does not have to remit COBRA premiums and instead the premium will be reimbursed directly to the employer, plan administrator or insurance company (depending on the nature of the plan) in the form of a tax credit.

Late last week, the Department of Labor (DOL) issued two new sets of FAQs to help employees and employers understand the new [COBRA premium subsidies](#) and [COBRA in general](#). The DOL also issued new model notices that employers and plan administrators may use to satisfy their obligation to alert COBRA qualifying individuals of the COBRA premium subsidies. In the event of a termination/lay off or other action (such as a reduction in hours) that would end an employee’s regular coverage under the group health plan and cause them to be eligible for COBRA.

Construction Procurement Caucus Holding First Meeting Next Week

The newly-formed congressional Construction Procurement Caucus (CPC) is set to [kick off with its first meeting](#) Thursday, April 22 from Noon-12:30 PM ET. The CPC is an informal caucus led by members of Congress and focuses on construction procurement issues like prompt pay, retainage, bond thresholds, P3 projects and more.

FCA International’s legislative team worked closely with Reps. Scott Peters (D-CA) and Pete Stauber (R-MN) to create this caucus, which provides an additional avenue for FCA’s legislative priorities to be discussed, debated and ultimately legislated on.

Senate Democrats Hopeful for Bipartisan Infrastructure Deal

On Tuesday, Senate Democrats expressed hope that a bipartisan deal could be reached on the President’s infrastructure legislation. It remains unclear how long they plan to delay the bill through the reconciliation process if a bipartisan agreement cannot be reached between both parties. Republican senators have united against President Biden’s plan stating it’s a “Trojan horse” for liberal policies and would kill jobs with corporate tax hikes.

Per Sen. Chris Coons (D-DE), "I do think it is likely that we will end up passing a lot of the president's infrastructure plan through reconciliation, but I think we should first do everything we reasonably can to negotiate bipartisan bills with our colleagues on the other side."

Senate Republicans to Make Decision on Earmarks Next Week

Senate Republicans will decide on April 21 whether to lift their ban on earmarks, as House and Senate Democrats plan to bring them back this year. The debate could pit long-standing Republican appropriators against spending hawks in the party, along with newer senators, who oppose restoring the practice. Senate Appropriations Chair Patrick Leahy (D-VT) said that if Republicans participate, he would allocate half of the earmarked funds in the Senate to his Republican colleagues.