



July 21, 2020

## **COVID-19 FUNDING UPDATE #6**

[*Note: Italics* other than in headlines are used to denote information recently added to this memorandum.]

SB 66 appropriated \$65.0 million, all from the State General Fund (SGF), for the Legislative Coordinating Council's Coronavirus Response Fund (\$50.0 million) and the Adjutant General Emergency Management Fund (\$15.0 million) for the novel coronavirus disease (COVID-19) response in fiscal year (FY) 2020. These funds reappropriate into FY 2021 if not fully expended. Additionally, \$17.5 million will be transferred from the Kansas Department of Health and Environment (KDHE) to the State Finance Council's Coronavirus Prevention Fund in FY 2021 because Medicaid expansion was not enacted during the 2020 regular Legislative Session.

HB 2016 (2020 Special Session), enacted June 9, 2020, appropriates the Coronavirus Relief Fund (state CRF) to the Office of the Governor to provide relief for the effects of COVID-19 in the state of Kansas in both FY 2020 and FY 2021. Expenditures or transfers from the state CRF require an affirmative vote of the Governor and a majority of the legislative members of the State Finance Council (SFC). The bill also permits the SFC to continue approving such requests during the Legislative Session.

In addition to the state CRF, the bill applies the same approval process described above to any federal funds received under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Families First Coronavirus Response Act (Families First Act), the Paycheck Protection Program and Health Care Enhancement Act, and any other federal law that provides moneys to the state for aid for coronavirus relief. The bill permits any moneys from the federal government for coronavirus relief that are required by federal requirements to be deposited in a fund other than the state CRF to be credited to such fund; however, those are subject to approval by the SFC in the same manner.

The bill renders the provisions of the 2019 and 2020 appropriations bills that provide general authority for the Governor to approve expenditure of federal funds as null and void, as related to aid received for the purposes of federal coronavirus relief.

In response to the COVID-19 pandemic, five federal bills that provide relief have been enacted: the Coronavirus Preparedness and Response Supplemental Appropriations Act, the Families First Act, the CARES Act, the Paycheck Protection Program and Health Care Enhancement Act, and the Paycheck Protection Program Flexibility Act. The largest funding source for state relief is contained in the CARES Act, which was signed into law on March 27, 2020.

The CARES Act makes funding available to states primarily through two means:

- The federal Coronavirus Relief Fund (CRF) provides \$150.0 billion in direct assistance from the U.S. Treasury to state governments of all 50 states, tribal governments, and governments of U.S. territories, with allocation based on their population and with no state receiving less than \$1.25 billion; and
- Funds made available to federal agencies for distribution primarily to state agencies and local governments through dozens of grant or supplemental funding programs.

The CRF is the largest source of state funding provided in the CARES Act. Section 5001(d) of the CARES Act clarifies that funds may be used only for costs that:

- Are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- Were not accounted for in the budget most recently approved as of CARES Act enactment on March 27, 2020; and
- Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Guidance from the U.S. Department of the Treasury states CRF payments may not be used to directly fill revenue shortfalls. These restrictions further suggest that CRF payments may not be used to directly reimburse State funds appropriated for COVID-19 response in SB 66, the state's most recent budget bill approved prior to the CARES Act.

The list below is an estimate of funds made available to Kansas from all federal COVID-19 relief acts. Most funding will go directly to the State; however, local units of government, tribal entities, nonprofit organizations, and other authorized recipients may receive some funds directly from the federal government. A variety of other federal programs, including tax incentives, the Paycheck Protection Program, and Economic Injury Disaster Loans, also provide direct relief to individual citizens and businesses. *As of July 14, 2020, businesses in Kansas have been approved for \$5.0 billion in payments from the Paycheck Protection Program, \$899.5 million in Economic Injury Disaster Loans, and \$286.0 million in payments to agricultural producers from the Coronavirus Food Assistance Program. Additionally, municipal entities in Kansas have been approved for \$2.7 billion to facilitate debt liquidity.*

### **Coronavirus Relief Fund**

#### ***\$1.25 billion for the Coronavirus Relief Fund (includes a 45 percent cap to local units of government).***

- Funds may be utilized for expenditures related to the coronavirus public health emergency. CARES Act funds have been allocated to States based on population, with smaller populated states receiving a minimum of \$1.25 billion. Direct assistance to local units of government may not exceed 45 percent of the available funding.

- Direct assistance is available to local units of government that serve a population in excess of 500,000 (Johnson County and Sedgwick County) that would reduce the total funding available to state government.
- The State received \$1,034.1 million in federal CRF funds, while Johnson County received \$116.3 million and Sedgwick County received \$99.6 million.
- According to U.S. Department of the Treasury guidance, permissible uses for the CRF include but are not limited to:
  - Costs of personnel and services included in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities;
  - To support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan;
  - To prevent eviction and assist in preventing homelessness assuming the recipient considers the grants to be for necessary expenses incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of CRF payments under section 601(d) of the Social Security Act outlined in the U.S. Department of the Treasury's guidance; and
  - To provide emergency financial assistance to individuals and families directly impacted by loss of income due to the COVID-19 public health emergency if a government determines such assistance to be a necessary expenditure.
  - The CARES Act does not prohibit additional distributions to local units of government which have already directly received CRF funding. Additional distributions would be discretionary.
- *Recent guidance from the U.S. Department of the Treasury clarified the following matters:*
  - *Expenditures incurred due to the public health emergency may include expenditures for second-order effects, such as the economic impact of business interruptions due to COVID-19-related closures;*
  - *Eligible costs must be incurred by December 30, 2020, meaning the delivery of goods or performance of service should occur prior to such*

*date, but payment may be issued within 90 days after the cost was incurred, or no later than March 30, 2021; and*

- *Funds may be used as local match for Federal Emergency Management Agency (FEMA) assistance, provided that use of local match entails COVID-19-related costs. Local match remains subject to FEMA determination of eligibility under the Stafford Act.*

#### *CRF Direct Relief to State Government*

- On May 20, 2020, the Governor authorized a transfer of \$3.0 million from the state CRF to the Kansas Department of Corrections (KDOC) for urgent COVID-19-related expenses such as wages and travel of staff from other facilities assisting at the Lansing Correctional Facility, personal protective equipment (PPE), testing material, and cleaning supplies. The transfer occurred prior to enactment of 2020 Special Session HB 2016 (June 9, 2020), therefore SFC approval was not required to authorize the transfer.
- The Governor established the Strengthening People and Revitalizing Kansas (SPARK) Task Force on May 19, 2020, which is charged with recommending the distribution of \$1,034.1 million in CRF moneys allocated to state government. The task force is part of the newly formed Office of Recovery within the Office of the Governor and is composed of gubernatorial-appointed members representing the business community, economic development community, and the Kansas Legislature. The recommendations of the SPARK Task Force are subject to approval of the SFC pursuant to provisions in 2020 Special Session HB 2016.
  - On June 2, 2020, the SPARK Task Force Executive Committee recommended allocating \$400 million for local units of government for expenses associated with responding to COVID-19. The allocation includes \$350 million to county governments, except those receiving direct relief from the federal government (Johnson County and Sedgwick County), with 50.0 percent distributed immediately for expenses already incurred and 50.0 percent distributed as aid for future expenses. The allocation also includes an Impact Fund of \$50.0 million available to county governments, including those receiving direct relief, most impacted by COVID-19. The committee further recommended that county governments be responsible for allocating and sharing awarded funds with local units of government within their respective counties.
- *As of June 22, 2020, the SFC has taken the following actions regarding matters requested by the SPARK Task Force and the Office of Recovery:*
  - *Approved expenditures totaling \$400.0 million, all from the state CRF, for Round 1 distribution to county governments;*
  - *Transferred \$26.3 million from the federal Governor's Emergency Education Relief (GEER) Fund to the Board of Regents;*
  - *Authorized state agency expenditures, all from non-CRF COVID-19 federal relief funds, and any future expenditures from such funds;*
  - *Approved expenditures totaling \$63,000, all from the state CRF, for the Office of Recovery operating budget in FY 2020;*

- *Approved expenditures totaling \$16.7 million, all from the state CRF, to reimburse agencies for unanticipated immediate COVID-19-related expenditures; and*
- *Approved expenditures totaling \$2.0 million, all from the state CRF, for the Office of Recovery operating budget in FY 2021.*

*Federal CRF Direct Relief to Local Units of Government*

- *The U.S. Department of the Treasury allocated to Sedgwick County \$99.6 million in direct relief from the federal CRF. Subsequent actions included:*
  - *On June 10, 2020, the county government issued a Notification of Funding Opportunity (NOFO) requesting information from governmental entities, hospitals and healthcare providers, nonprofit organizations, and education institutions to generate a needs assessment. The county government used the assessment to determine a strategic plan for distributing CRF within the county. The NOFO stated city governments located within Sedgwick County would be eligible for funding support.*
  - *On July 8, 2020, the Sedgwick County Commission approved a plan allocating \$99.6 million in federal CRF direct relief that included:*
    - *\$35.0 million for county operations in response to COVID-19, including payroll, information technology, the purchase of PPE, district court costs, sanitizing services, and the additional FTE positions;*
    - *\$25.0 million for countywide COVID-19 testing and contract tracing;*
    - *\$10.1 million as relief to city governments within Sedgwick County, with an initial 50.0 percent provided as direct aid and a subsequent 50.0 percent provided as reimbursement;*
    - *\$6.5 million to support public health measures, such as the purchase of PPE, among public and private entities and including senior living and skilled nursing facilities;*
    - *\$7.0 million for social service providers to support vulnerable populations and provide mental health treatment;*
    - *\$3.5 million to educational institutions for the implementation of public health measures and development distance learning; and*
    - *\$12.0 held in reserve by the county government for future potential expenditures.*
  - *The Sedgwick County Board of County Commissioners adopted a resolution on July 8, 2020, authorizing the receipt of \$9.3 million in state CRF moneys as distributed through the Impact Fund. The county has expressed intent to utilize these funds for economic revitalization to mitigate the unemployment effects of COVID-19.*
- *The U.S. Department of the Treasury allocated to Johnson County \$116.3 million in direct relief from the federal CRF. Subsequent actions included:*

- *The Johnson County Board of County Commissioners adopted a resolution on July 9, 2020, accepting the \$116.3 million in direct relief from the federal government. To date, no plans have been released regarding use of these moneys.*
- *The Johnson County Board of County Commissioners adopted a resolution on July 9, 2020, authorizing the receipt of \$8.0 million in state CRF moneys through the Impact Fund. To date, no plans have been released regarding use of these moneys.*

## **Education**

### ***\$105.0 million for Higher Education - General***

- Funding is allocated 90 percent directly to institutions through the Title IV (federal Pell financial aid) distribution system. In Kansas, 75 total institutions of higher education are eligible: 33 public, 24 private, and 18 for-profit. At least 50 percent of funds awarded must be used for direct emergency aid to students, including grants for food, housing, course materials, technology, health care, and child care. Funds are provided to prevent, prepare for, and respond to COVID-19.
- Institutions determined their own processes and criteria for awarding direct emergency aid to students. *As of June 11, 2020, all state universities had received the emergency student aid portion and have distributed the majority of funds to students, primarily through online application processes. The majority of the remaining 50.0 percent, intended for operational needs in response to COVID-19, has not been requested as institutions continue to develop plans for the upcoming semester.*

### ***\$84.5 million for K-12 Education***

- The funding for K-12 education is part of the Education Stabilization Fund, the purpose of which is to prevent, prepare for, and respond to COVID-19. States must allocate not less than 90 percent of awarded funds to local education agencies (school districts) in proportion to the amount of funds such local education agencies received under Title I of the Elementary and Secondary Education Act. Funding may be used for COVID-19 preparedness and response activities such as staff training and professional development, implementing response procedures and systems, and purchasing of sanitizing supplies. Funds may also be used for mental health services, addressing needs of disadvantaged students, implementing summer learning programs, coordinating long-term closures, and other activities necessary to maintain continuity of services in local education agencies and continuing to employ existing staff. After one year of receiving the funds, any unused funds must be returned to the federal government. Funds from the Education Stabilization Fund require a maintenance of effort from states, meaning state support for K-12 and higher education in FY 2020 and FY 2021 must be maintained at the average level for FY 2017 through FY 2019. According to the Kansas State Department of Education (KSDE), the U.S. Department of Education has approved the State's application for these funds. *Funds must be drawn down from the U.S. Department of Education by*

*KSDE at the request of school districts. As of July 13, 2020, a total of \$10.2 million had been distributed to school districts in Kansas and \$916,559 has been designated for special education. The remaining funds are available upon request.*

***\$26.3 million for the Governor’s Fund to be distributed to K-12 and Higher Education. institutions most impacted by COVID-19***

- This funding makes grants available to local education agencies significantly impacted by COVID-19 to allow them to continue to provide educational services to students and provide support to institutions of higher learning significantly impacted or other entities providing child care and early childhood education, social and emotional support, and the protection of education-related jobs. Any funds not expended within one year are to be returned to the federal government. *On June 16, 2020, the SFC approved the transfer of \$26.3 million from the Office of the Governor to the Board of Regents.*

***\$5.9 million for Higher Education - Historically Black Colleges and Universities and Minority Serving Institutions***

- This funding provides grants for Historically Black Colleges and Universities, Tribally Controlled Colleges and Universities, and other Minority Serving Institutions as well as other institutions eligible for the Strengthening Institutions Program. There are 29 institutions in Kansas eligible for this funding. While the funds have no student aid requirements, institutions are encouraged to utilize a portion of funding as direct aid to students. This can include a federally financially eligible student’s cost of attendance, including tuition, course materials, and technology. Institutions may also use these funds to defray institutional expenses, which may include lost revenue, reimbursement for expenses already incurred, technology costs associated with the transition to distance education, faculty and staff training, and payroll.

***\$2.7 million for Higher Education - Unmet Needs***

- This funding provides grants to institutions of higher education with the greatest unmet needs related to COVID-19. Priority is given to institutions that are not otherwise eligible for CARES Act funding of at least \$500,000 and demonstrate significant need. There are 13 institutions, including small private colleges, community colleges, and vocational schools, in Kansas eligible for this funding. Institutions may use funds to defray expenses incurred, including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll. Institutions also may use funds as aid to students for cost of attendance, including food, housing, course materials, technology, health care, and child care.

### ***\$263,243 for the Institute of Museum and Library Services***

- Supplemental funding for the State Library of Kansas is provided through the Institute of Museum and Library Services (IMLS). The purpose of the funding is to provide grants to states, territories, and tribes to respond to COVID-19, including to expand digital network access, purchase internet accessible devices, and provide technical support services. The funds are available to IMLS until September 30, 2021, but there is no requirement for the State Library to expend the funds by a specified date. State matching requirements are waived. *As of June 16, 2020, the State Library of Kansas had received the full allocation.*

## **Social Services**

### ***\$30.8 million for Child Care and Development Block Grant***

- This funding is intended to pay childcare providers to ensure they will be able to reopen, for expenses including staff expenses and costs to sanitize the facility. Funds may be given to childcare providers that have not previously received funding to clean and sanitize facilities. The funds may also be used to provide child care to workers deemed essential without regard to the income eligibility requirement [section 658P(4) of the Child Care and Development Block Grant Act]. States and territories do not need to amend their approved plans, and the funds may be obligated in this federal fiscal year or the succeeding two fiscal years. Funding is available until September 30, 2021. On May 6, 2020, the Department for Children and Families (DCF) received \$30.8 million.
- On April 20, 2020, DCF began the Hero Relief Program, expanding childcare assistance subsidies to essential workers with income at or below 250 percent of the federal poverty level and providing grants to childcare providers. Eligible workers include health care workers, first responders, food and agriculture workers, judicial branch essential services, the National Guard, Child and Adult Protective Services specialists, and childcare providers serving these workers.

### ***\$9.3 million for the Low-Income Home Energy Assistance Program (LIHEAP)***

- This federally funded program provides assistance for qualifying households to pay home energy costs *via* an annual benefit. This program is administered by the DCF's Economic and Employment Services Program. Benefit levels may vary based on household income, the number of persons living in the house, the type of house, and the type of energy used. The standard 10 percent carryover limit does not apply to this supplemental funding. Funding is available until September 30, 2021. In anticipation of receiving these funds, DCF reopened the LIHEAP application period beginning May 1, 2020, and ending on May 29, 2020. Persons approved in the original application period are not eligible for additional funding. DCF has received \$9.3 million as of May 12, 2020.

### ***\$8.2 million for Community Services Block Grant***

- The Community Services Block Grant (CSBG) Act aims to reduce poverty, revitalize low-income communities, and empower low-income families and individuals to become fully self-sufficient. CSBG supports eight local eligible entities in Kansas to provide services and activities for individuals with low income that alleviate the causes and conditions of poverty in their individual communities. The balance of the state portion of the program is administered by the Kansas Housing Resources Corporation (KHRC), *which has allocated funding as follows:*
  - *\$1.4 million for the Wichita Sedgwick County Community Action Partnership;*
  - *\$1.3 million for the East Central Kansas Economic Opportunity Corporation;*
  - *\$908,601 for Harvest America Corporation;*
  - *\$856,451 for Community Action, Inc.;*
  - *\$823,397 for Mid-Kansas Community Action Program;*
  - *\$771,981 for Northeast Kansas Community Action Partnership;*
  - *\$648,581 for Southeast Kansas Community Action Partnership;*
  - *\$639,033 for Economic Opportunity Foundation, Inc.; and*
  - *\$816,134 for administrative and discretionary costs.*
- *Allocated funds are currently available to be drawn down by eligible entities. Funding is available until September 30, 2021.*

### ***\$8.4 million for Head Start***

- This funding supports Head Start, a federally funded program administered in Kansas by the DCF that is designed to prepare children under the age of five in low-income families for school. Federal relief funding will be provided as grants awarded directly to local partners for one-time activities responding to COVID-19, such as mental health services, staff training on infectious disease management, and the purchase of cleaning supplies. Funding will also support new supplemental summer programs, with priority given to programs that focus on the incoming kindergarten class and children with individualized education plans. This funding will not be calculated in the base grant in subsequent fiscal years. Non-federal matching requirements may be waived. Funding is available until September 30, 2021.

### ***\$443,000 for Child Welfare Services***

- The CARES Act includes additional Social Security Act Title IV-B funding for child welfare services. Per that law, this funding may be used for the following: (1) protecting and promoting the welfare of all children; (2) preventing the neglect, abuse, or exploitation of children; (3) supporting at-risk families through services

which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner; (4) promoting the safety, permanence, and well-being of children in foster care and adoptive families; and (5) providing training, professional development and support to ensure a well-qualified child welfare workforce. State matching requirements are waived. Funding is available until September 30, 2021. On May 6, 2020, DCF received \$443,475.

- DCF intends to use funds for COVID-19-related expenses in the Protection and Prevention Services Program and Foster Care Licensing. Planned expenditures include:
  - Purchase of PPE and sanitizing products for child placing agencies, residential facilities, and service providers;
  - Professional disinfection of group care facilities, family-based placement residences, or public and common spaces used by child welfare grantees;
  - Costs related to quarantining DCF employees, grantees, foster parents, or providers when the individual cannot quarantine at home;
  - Equipment to support distance learning or training of employees and placement providers; and
  - Hardware, software, and data service to allow for telework capabilities for Kansas Protection Report Center employees.

#### ***\$386,000 for Family Violence Prevention***

- Funds are provided through the U.S. Department of Health and Human Services (HHS) for domestic violence prevention and related services programs in accordance with the Federal Family Violence Prevention and Services Act. State matching requirements are waived. On May 26, 2020, HHS announced funding was awarded to the Kansas Governor's Grants Program (\$305,515) and state domestic violence coalitions (\$80,357).
- *As of July 13, 2020, the Kansas Governor's Grants Program had awarded a total of \$290,529 in grants to 19 local organizations to supplement domestic violence survivor programs impacted by COVID-19.*

#### ***\$172,000 for Runaway and Homeless Youth Grant***

- This funding is provided through the HHS and supports organizations that serve youth who run away from home or become homeless. Services include street outreach, emergency shelter, and long-term transitional living. The CARES Act provides funding to organizations through three grant categories: basic centers, transitional living, and education and prevention. These funds are not subject to matching requirements. Funds are available until September 30, 2021. The Wichita Children's Home is the only grantee in Kansas, according to the Administration for Children and Families at HHS.

## **Community Living**

### ***\$6.1 million for Congregate and Home-Delivered Meals***

- This funding provides Congregate and Home Delivered Meals under the Older Americans Act Nutrition Program. The Title III-C Nutrition Program authorizes nutrition services for persons age 60 or over and their spouses and, in certain conditions, persons with disabilities younger than 60. Meals are provided to eligible participants on a contribution basis in a congregate setting (Title III-C)(1) or within a homebound individual's place of residence (Title-III-C)(2). State matching requirements are waived. The Kansas Department for Aging and Disability Services (KDADS) received the full allocation as of May 14, 2020.

### ***\$1.7 million for Supportive Services***

- This funding provides supportive services under the Older Americans Act In-Home Services program. Under Title III-B of the Older Americans Act, KDADS notes it provides Kansans with objective, accessible, and useful information to promote healthy aging, financial security, and long-term care choices to assist them in making informed decisions. It also promotes accessibility of information sources to all Kansans. KDADS encourages the state Agencies on Aging and Area Agencies on Aging to concentrate resources to develop and implement comprehensive and coordinated community-based systems of service for older individuals *via* statewide planning, and area planning and provision of supportive services, including multipurpose senior centers. The objective of these services and centers is to maximize the informal support provided to older Americans to enable them to remain in their homes and communities. Providing transportation services, in-home services, and other support services, these programs ensure that elders receive the services they need to remain independent. State matching requirements are waived. KDADS received the full allocation as of May 14, 2020.

### ***\$845,000 for Family Caregivers***

- This funding provides family caregiver services under the Older Americans Act Title III-E Family Caregiver Support program. The National Family Caregiver Support Program is designed to support the needs of family caregivers. The categories of service available are information, assistance, counseling, support groups, caregivers training, respite, and supplemental services. The program targets family caregivers providing in-home or community care to an older adult, caregivers who provide care for individuals with Alzheimer's disease, grandparents or relatives aged 55 or older who are relative caregivers for children younger than 19 years of age, and a grandparent or relative aged 55 or older providing care to a disabled adult aged 19 to 59 years. It also directs states to give priority to services for older individuals with the greatest social and economic need, with particular attention to low-income older individuals and grandparent or relatives providing care and support to persons with mental retardation and related developmental disabilities. State matching requirements are waived. KDADS received the full allocation as of May 14, 2020.

### ***\$941,000 for Centers for Independent Living***

- Kansas has a network of ten Centers for Independent Living (CIL). The purpose of CILs is to provide independence and empowerment to individuals living with disabilities and to support their integration into mainstream society. CILs are not residential facilities. Relief funds are intended to respond to COVID-19 and the increase of needs of individuals with disabilities to access services while remaining safely in their communities. Funding is available until September 30, 2021. On April 21, 2020, the Administration for Community Living at the U.S. Department of Health and Human Services distributed the full allocation to CILs in Kansas.

### ***\$455,000 for Aging and Disability Resource Centers***

- Funding provided to Aging and Disability Resource Centers (ADRCs) under a program titled No Wrong Door System Funding Opportunity: Critical Relief Funds for COVID-19 Pandemic Response. Funding is directed to be used by KDADS to support ADRC functions for staff or administrative costs, direct service needs as appropriate for older adults and individuals with disabilities, technology enhancements at the state or local level, access to food delivery services, virtual education or training needs, or other methods to support ADRC functions and clients. Funds are available until December 30, 2021. KDADS received the full allocation as of May 14, 2020.

### ***\$170,000 for Protection of Vulnerable Older Americans***

- This funding provides services for the protection of vulnerable older Americans under the Older Americans Act Elder Justice/Long Term Care Ombudsman Activities program. The program promotes elder rights activities to provide persons 60 and older access to the system of justice. Legal service providers (attorneys) act as advocates and offer advice and representation. Activities also include programs for the prevention and awareness of elder abuse, neglect, and exploitation of older individuals. KDADS received the full allocation as of May 14, 2020.

## **Health Care**

### ***\$866.6 million for Provider Relief Funds***

- HHS will distribute funds to eligible healthcare providers to support healthcare-related expenses or lost revenue attributable to COVID-19, and to ensure uninsured Americans can get testing and treatment for COVID-19. These payments are not loans and will not need to be repaid. These funds are allocated in the following categories:
  - Rural Hospital Distribution: \$390.4 million was awarded to 201 Kansas hospitals and clinics in rural areas;

- General Distribution: \$325.1 million was awarded to 3,320 Kansas providers and systems;
- *Safety Net Hospital Distribution: \$69.4 million was awarded to 6 Kansas acute care and children's safety net hospitals that disproportionately care for vulnerable populations and those without insurance coverage;*
- *Skilled Nursing Facilities: \$63.4 million was awarded to 245 nursing facilities in Kansas with 6 or more beds. Funds support labor, testing capacity, purchase of PPE, and other expenses; and*
- High Impact Distribution: \$18.3 million was awarded to The University of Kansas Health System based on the number of inpatient COVID-19 patients.

### **\$93.8 million in Centers for Disease Control (CDC) grants**

- The Coronavirus Preparedness and Response Supplemental Appropriations Act provided funding to support the prevention, detection, and treatment of COVID-19. Federal FY 2019 Public Health Emergency Preparedness (PHEP) grantees received at least 90 percent of their FY 2019 awards. Funds must be expended within 12 months from the date of notification of award. KDHE was allotted \$5.9 million in the first series of grants, of which \$1.8 million, or 30 percent, was awarded to local health departments and tribes.
- The CARES Act provided additional funds for surveillance, epidemiology, laboratory capacity, infection control, mitigation, communications, and other preparedness and response activities. Every grantee that received a PHEP grant for federal FY 2019 is guaranteed to receive 100 percent of its FY 2019 award. Funds must be expended within 12 months from date of notification of award. Kansas is expected to receive \$6.6 million under this funding stream.
- The Paycheck Protection Program and Health Care Enhancement Act provides Kansas with an additional \$81.3 million to develop, purchase, administer, process, and analyze COVID-19 tests, as well as conduct surveillance, trace contacts, and conduct related activities.

### **\$22.5 million to Community Health Centers**

- The Coronavirus Preparedness and Response Supplemental Appropriations Act and the CARES Act provide the Health Resources and Services Administration (HRSA) of HHS with \$16.7 million to support community health centers in Kansas with the detection, prevention, and diagnosis of COVID-19, as well as maintain and/or increase health center capacity and staff. Funds must be expended within 12 months, but may be used for COVID-19-related expenses dating back to January 20, 2020. Funds were allocated to 18 HRSA-qualified community health centers in Kansas (\$15,959,343) and KDHE (\$693,378). The funding allocated to KDHE will support the Kansas Statewide Farmworker Health Program.
- The Paycheck Protection Program and Health Care Enhancement Act provides an additional one-time funding totaling \$5.8 million to expand the capacity of

community health centers in the testing for and monitoring of COVID-19. Funds must be expended within 12 months, but may be used for COVID-19-related expenses dating back to January 20, 2020. Funds were allocated to 18 HRSA-qualified community health centers in Kansas (\$5.7 million) and to KDHE (\$145,609).

#### ***\$8.6 million for Rural Health Clinics COVID-19 Testing***

- Funding provided through the HHS to rural health clinics (RHC) to support testing, planning and implementation, supplies, training, and reporting. Funds may also be used for temporary structures or leasing of properties to support COVID-19 response. Only RHCs that were certified and listed by the Centers for Medicare and Medicaid Services prior to May 7, 2020, are eligible. On May 20, 2020, HHS announced \$8.6 million was allocated for 174 RHCs in Kansas.

#### ***\$7.7 million for Small Rural Hospital Improvement Program***

- Funds allocated to KDHE for distribution to the Small Rural Hospital Improvement Program eligible hospitals to assist in responding to COVID-19, including testing, laboratory services, and purchase of PPE. This funding should complement, not duplicate or supplant, other funds received through existing payment or other CARES Act programs supporting hospitals.

#### ***\$4.8 million for Hospital Preparedness***

- Hospital preparedness grants are designed to ready hospitals to deliver coordinated and effective care to victims of public health emergencies. As of June 2, 2020, funding has been awarded to KDHE (\$2.1 million) and the Kansas Hospital Association (\$2.7 million).

#### ***\$2.0 million for Emergency Grants to Address Mental and Substance Use Disorder***

- This funding supports crisis intervention services, mental health and substance use disorder treatment, and other related recovery supports for children and adults impacted by the COVID-19 pandemic. The program focuses on individuals with serious mental illness, substance use disorders, or both, but may also meet the needs of individuals with mental disorders that are less severe than serious mental illness, including those in the healthcare profession. No state matching funds are required. KDADS received the full allocation as of May 14, 2020.

#### ***\$829,000 for Telehealth Resources***

- Funding was awarded to 14 telehealth resource centers nationally, including \$829,000 to the University of Kansas Medical Center Research Institute, to provide technical assistance on telehealth. The funding is intended to provide rural and underserved areas with the support they need to combat COVID-19 through the expansion of telehealth services.

### ***\$191,000 for Ryan White HIV/AIDS***

- This funding supports Ryan White HIV/AIDS Program recipients across the country, including city/county health departments, health clinics, community-based organizations, state health departments, and AIDS Education and Training Centers, in their efforts to prevent or minimize the impact of COVID-19 on people with HIV. On April 15, 2020, HHS announced funds were awarded to KDHE (\$50,000) and the University of Kansas Medical Center in Wichita (\$140,521).

### ***\$179,807 for Community Health Center Look-A-Likes***

- *This funding is provided through HRSA to health center look-a-likes, which are community-based health centers that meet the requirements of the HRSA Health Center Program but do not typically receive health center funding. This funding must be used to purchase, administer, and expand capacity for testing to monitor and suppress COVID-19. This is one-time funding for the period of July 1, 2020, through June 30, 2021. Funds were awarded to one health center in Kansas.*

### ***\$157,000 for Registered Nurses in Primary Care Training Programs***

- This funding is provided through HRSA to support programs related to the education and training of nurses. On May 14, 2020, HRSA announced grants were awarded to Pittsburg State University (\$78,571) and Washburn University (\$78,571).

### ***\$44,000 for Poison Control Services***

- Funds appropriated are for activities to improve the capacity of poison control centers to respond to increased calls. Funding is available until September 30, 2022. On April 23, 2020, HHS announced \$43,785 was awarded to the Kansas Poison Control Center.

## **Food and Nutrition**

### ***\$6.7 million for The Emergency Food Assistance Program (TEFAP)***

- This program provides free U.S. Department of Agriculture commodity foods to low-income households. TEFAP food is shipped five or six times per year. Shipments provide a minimum of four and a maximum of ten foods per household. Matching requirements are not waived but states have flexibility to provide food to people in need. Funding is available until September 30, 2021. On May 6, 2020, DCF received \$400,000 for administrative costs.
- Funds awarded for TEFAP through the CARES Act (\$3.5 million) were received as a food allocation, which was distributed as box meals to needy individuals from April 6 to June 6, 2020. As of June 2, DCF had served 83,000 individuals.

### ***\$3.1 million for Supplemental Nutrition Program for Women, Infants and Children (WIC)***

- Additional funds will remain available through September 30, 2021, to be used only in cases in which a school is closed for at least five consecutive days during a declared public health emergency during which the school would otherwise be in session.
- Each household containing at least one member who has an eligible child attending school shall be eligible to receive assistance pursuant to a state agency plan approved by the Secretary of Agriculture. State plans may include temporary emergency standards of eligibility and levels of benefits for households with eligible children. Temporary state plans can provide aid to households not already receiving benefits in an amount not less than the value of meals at the free rate over the course of five school days for each eligible child in the household. Additional funds provided in the CARES Act shall be placed in a contingency reserve to be allocated as the Secretary deems necessary to support participation should cost or participation exceed budget estimates to prevent, prepare for, and respond to COVID-19.

## **Economic Development**

### ***\$16.9 million for the Community Development Block Grant (CDBG) [Additional \$6.6 million to Local Entitlement Zones Johnson County, Kansas City, Lawrence, Leavenworth, Lenexa, Manhattan, Overland Park, Shawnee, Topeka, and Wichita.]***

- Under the CARES Act permitted activities include:
  - Improvements on public buildings and facilities to treat, care for, and house COVID-19 patients;
  - Provision of grants or loans to businesses to provide medical supplies or avoid job loss due to social distancing;
  - Provision of new or quantifiably increased public services for health care job training, testing, equipment, and delivery of meals on wheels; and
  - Planning, Capacity Building, and Technical Assistance Grants for emergency response including the retention of outside technical assistance. Planning grants are subject to a 20 percent administrative expenses maximum and training is subject to the 3 percent administrative expenses maximum.
- With the exception of those for planning and administrative expenses, there is no percent limitation for the use of funds for public services activities to prevent, prepare for, and respond to COVID-19. The Kansas Department of Commerce held a public hearing for comments on May 6, 2020, and established an electronic approval process for grants and loans.
- The Kansas Department of Commerce CDBG-CV program, which provides economic development assistance and funding for meal programs, began accepting applications on May 12, 2020. The Commerce Department received

applications from 106 cities and counties totaling \$32.0 million. Due to inadequate funding, the Commerce Department limited funding to 45.0 percent of the economic development request and \$35,000 for meal programs per applicant. Program awards were distributed to 66 cities and counties in Kansas. The entitlement zones of Sedgwick County and Johnson County were not eligible in this program. The Commerce Department recently received an additional \$7.9 million in CDBG funding and is evaluating the federal regulations governing the funds but plans to issue a second round of awards if allowable.

- CDBG-CV Economic Development grants provide communities with funding to help local businesses retain jobs for people with low-to-moderate incomes. Grant moneys may be used for items including wages, utilities, rent, and the purchase of up to 60 days of inventory needed to reopen. Award amounts are up to \$25,000 for businesses with 5 or fewer employees (with a maximum of \$30,000 per company) or up to \$35,000 for each full-time employee to businesses with 6 to 50 employees (with a maximum of \$50,000 per company).
- CDBG-CV Meal Program grants can be directed toward organizations such as Meals on Wheels, for the replenishment of local food banks, or to support organizations that provide meal programs for children impacted by the loss of school meal programs.

#### ***\$471,000 for Manufacturing Extension Partnership***

- The Hollings Manufacturing Extension Partnership (MEP) Program assists manufacturers to increase competitiveness by developing and operating a learning and knowledge infrastructure. The Kansas MEP office, Kansas Manufacturing Solutions, is assisting Kansas manufacturers in mobilizing production capacity in response to COVID-19 and informing manufacturers on elements of the CARES Act that impact their operations. Additional funding for the program is intended to remain until September 30, 2021. State matching requirements are waived.

#### ***\$463,000 for National Endowment for the Humanities Grants***

- 40 percent of the funds made available to the National Endowment for the Humanities through the CARES Act must be distributed to state humanities councils and 60 percent of such funds must be for direct grants. Funds may be used by the recipients of such grants for purposes of the general operations. State matching requirements are waived, and the funding is available until September 30, 2021. Humanities Kansas, the state humanities council, received the federal allocation, which was offered as grants to nonprofit cultural organizations in Kansas. Applications for these grants were accepted from May 13, 2020, through June 12, 2020.
- *On July 1, 2020, Humanities Kansas awarded \$463,000 in CARES Act Relief Grants to 82 cultural organizations in Kansas experiencing distress due to COVID-19.*

### ***\$441,000 for National Endowment for the Arts Grants***

- Of the funds made available to the National Endowment for the Arts through the CARES Act, 40 percent must be distributed to state arts agencies and regional arts organizations and 60 percent of such funds must be for direct grants. Funds may be used by the recipients of such grants for purposes of the general operations. State matching requirements are waived, and the funding is available until September 30, 2021. On May 1, 2020, the Kansas Creative Arts Industries Commission at the Department of Commerce announced receipt of the federal allocation, which was offered as short-term operational system grants to Kansas-based nonprofit organizations. Applications for these grants were accepted from May 4, 2020, through May 15, 2020.

## **Labor**

### ***\$9.5 million for Unemployment Insurance Administration***

- This funding may be used only for the administration of unemployment compensation laws, including taking the steps necessary to ensure adequate resources in periods of high demand. Half of the funding must be provided to a state within 60 days after the law was enacted, with the other half being transferred only if a state's unemployment compensation claims increased by at least 10 percent over the same quarter in the previous calendar year.
- In order to receive the funding, states must meet certain requirements, including requiring employers to notify employees about the availability of unemployment compensation and provide assistance to applicants in filling out their applications, and demonstrating that a state has taken steps to ease eligibility requirements and increase access to unemployment compensation for claimants.
- Kansas has so far received \$4.8 million in federal funding for unemployment insurance administration. The Kansas Department of Labor (KDOL) has not received any notification of availability of the remaining portion of the funding for unemployment insurance administration.
- This funding does not include the temporary expansions of unemployment insurance authorized by the CARES Act. KDOL has applied to the U.S. Department of Labor for additional grant funding to support costs associated with implementing these new federal programs and is awaiting award notification.

### ***\$950,772 for Short-Time Compensation***

- Funding provided through the U.S. Department of Labor supports implementation, promotion, and enrollment of employers in the State's short-time compensation program. Short-time compensation, also known as shared work, allows employees to receive unemployment benefits while working reduced hours due to certain conditions. Funding is available until December 31, 2023.

## **Justice and Security**

### ***\$6.1 million for the Edward Byrne Memorial Justice Assistance Program [Additional \$3.2 million for Direct Relief to Local Units of Government.]***

- Funding is provided through the U.S. Department of Justice Bureau of Justice Assistance (BJA) to state governments, local units of government, and federally recognized tribal governments *via* the Coronavirus Emergency Supplemental Funding grant program. Funding may be used for seven purpose areas: law enforcement; prosecution and courts; crime prevention and education; corrections and community corrections; drug treatment and enforcement; planning, evaluation, and technology improvement; and crime victim and witness programs. Matching requirements are waived. In April 2020, the Governor's Office received the state allocation (\$6.1 million), which was offered as grants to state agencies, local units of government, tribal governments, and nonprofit organizations in Kansas with an application period ending May 20, 2020. *As of July 13, 2020, a total of \$5.9 million had been awarded as grants to 30 state and local governmental jurisdictions not eligible for direct relief from BJA. The funding includes grants awarded to Kansas Bureau of Investigation (\$520,000), KDOC (\$1.7 million), Kansas Highway Patrol (\$975,000), and the Judicial Branch (\$1.6 million).*
- *In addition, 26 local units of governments in Kansas were awarded direct relief as grants from BJA totaling \$3.2 million, as of July 13, 2020.*

### ***\$4.6 million for Election Security***

- Funds are to be used to prevent, prepare for, and respond to COVID-19, domestically or internationally, and its impacts on the 2020 federal election cycle. The Secretary of State shall provide a full reporting to the Elections Assistance Commission (EAC) within 20 days of the federal election on uses of the payment and an explanation of how such uses allowed the state to prevent, prepare for, and respond to COVID-19. The Secretary of State announced \$1.0 million will be expended to procure PPE for local elections offices. Each PPE kit will include plexiglass shields for election workers, disposable stylus pens for voters, hand sanitizer, disinfecting spray, face masks, and disposable gloves. Additionally, \$2.6 million has been made available to counties for reimbursement of COVID-19-related expenditures. As of June 5, 2020, \$370,000 had been distributed to counties with \$2.2 million approved but awaiting compensable receipts. EAC guidance states eligible COVID-19 expenditures include:
  - Printing of additional ballots and envelopes for potentially higher levels of advance or vote-by-mail processes;
  - Registration list activities to improve the accuracy and currency of registrant addresses;
  - Upgrades of statewide or local databases to allow for online advance or mail ballot requests or change of address;
  - Additional mailing and postage costs, including ballot tracking software;

- Acquisition of additional voting equipment, including high speed or central count tabulators and hardware and software associated with signature comparison of returned advance or mail ballots;
  - Installation and security for advance or mail drop-boxes;
  - Temporary elections office staffing;
  - Cleaning supplies and PPE for staff and poll workers in early advance voting, vote centers, or election day polling places;
  - Overtime salary and benefit costs for elections staff and poll workers;
  - Training of poll workers on sanitation procedures for in-person voting;
  - Public communication of changes in registration, ballot request options, or voting procedures, including information on COVID-19 precautions being implemented during the voting process;
  - Mailings to inform the public on changes or determination of procedures of COVID-19 precautions, options in voting, and other voting information;
  - Pre- and post-election deep cleaning of polling places;
  - Leasing of new polling places when existing sites must be closed;
  - Additional laptops and mobile IT equipment; and
  - Additional automated letter opening equipment.
- The funding expires on December 31, 2020. States must provide a 20 percent match within two years.

### ***\$1.3 million for Emergency Management Performance Grant***

- The Emergency Management Performance Grant Program of the U.S. Department of Homeland Security supports all core capabilities in the Prevention, Protection, Mitigation, Response, and Recovery mission areas based on allowable costs. State matching requirements of 50 percent are not waived. The period of performance runs from January 27, 2020, to January 26, 2022. *As of June 16, 2020, the Adjutant General's Department received the full allocation.*

## **Housing and Homeless Assistance**

### ***\$14.9 million for Homeless Assistance [Additional \$7.7 million to Local Units of Government.]***

- The CARES Act includes additional funding for Homeless Assistance Grants, to prevent, prepare for, and respond to COVID-19 among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by COVID-19 under the Emergency Solutions Grants (ESG) program. ESG funding may be used for establishing, maintaining, and operating emergency shelters to provide essential services such as services concerned with employment, health, education, family support services for homeless youth, substance abuse services, victim services, or mental health services. Matching

requirements are waived. Funding is available until September 30, 2022. As of June 9, 2020, the U.S. Department of Housing and Urban Development (HUD) had awarded \$14.9 million to the State of Kansas, \$2.3 million to the City of Kansas City, \$2.1 million to the City of Topeka, and \$3.3 million to the City of Wichita.

- *The State of Kansas portion of the ESG program is administered by the KHRC, which allocates funds to local eligible entities. Grant recipients must develop a consolidated plan, which must subsequently receive approval from HUD, before funds can be drawn down. Applications for ESG program grant funding are currently available through KHRC. The current grant period will be for one year, from July 1, 2020, to June 30, 2021. KHRC indicates the program may be extended due to identified need and availability of additional CARES Act funding. Applications are due by July 21, 2020.*

### ***\$3.7 million for Public Housing Operations***

- The Public Housing Operating Fund may be used for assistance to public housing agencies for the operation and management of public housing, including the efficient maintenance and operation of public housing units; anti-crime and anti-drug activities; provision of services, including service coordinators for elderly persons or persons with disabilities; and more. Funding is available until September 30, 2021. On May 1, 2020, HUD announced \$3.7 million was allocated for direct support to public housing authorities in 92 Kansas communities.

### ***\$1.4 million for Tenant-Based Rental Assistance***

- The CARES Act provides additional funding for public housing agencies to maintain normal operations during the period that such programs are impacted by COVID-19. Portions of this funding are allocated for Section 8 programs, including Mainstream vouchers to assist non-elderly persons with disabilities and renewal funding applications for public housing agencies that experience a significant increase in voucher per-unit costs due to extraordinary circumstances or that, despite taking reasonable cost-savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding. Matching requirements may be waived.

### ***\$1.2 million for the Emergency Food and Shelter Program***

- Funding includes distributions to local providers for food purchases, lodging needs, or for assistance in payment of rent, mortgage or utility bills. The program is governed by the Emergency Food and Shelter Program (EFSP) National Board composed of representatives of the American Red Cross, Catholic Charities, The Salvation Army, and other charities. On May 4, 2020, the EFSP National Board announced allocations totaling \$1.1 million for 19 qualifying counties in Kansas.

### ***\$575,916 for Native American Housing Relief***

- The CARES Act includes \$200.0 million in additional funding for Indian Housing Block Grants (IHBG) to Native American tribes that are Tribally Designated Housing Entities to address housing issues resulting from COVID-19. Grant funding primarily supports low-income Native American families. Eligible activities include housing development, operation and maintenance, modernization, and more. In Kansas, the IHBG distribution from the CARES Act totals \$575,916. Funding is available until September 30, 2021.

### ***\$158,000 for Supportive Housing For Persons with Disabilities***

- This funding is provided through HUD to local nonprofit organizations for the development of rental housing with availability of supportive services for persons with disabilities. Matching requirements may be waived. Funding was awarded to the Salina Housing Authority (\$71,882) and the Lawrence/Douglas County Housing Authority (\$85,992).

### ***\$88,288 for Housing Opportunities for Persons with AIDS***

- The AIDS Housing Opportunity Act provides grant funding for states, local governments, and nonprofit organizations to devise long-term comprehensive strategies for meeting the housing needs of persons with AIDS and families of such persons. Eligible activities include enabling public and nonprofit organizations to provide housing information, facilitating the development and operation of shelters, providing rental assistance, and facilitating moderate rehabilitation of single-room occupancy dwellings. Funding is available until September 30, 2021.

## **Transportation**

### ***\$53.4 million for Grants-in-Aid for Airports***

- The CARES Act provides support to U.S. airports experiencing severe economic disruption caused by the COVID-19 public health emergency. This funding will be distributed directly to airports to prevent, prepare for, and respond to the impacts of the COVID-19 public health emergency. There is no matching requirement for these funds. The CARES Act provides that these funds are available until expended.

### ***\$52.4 million for Federal Transit Authority (FTA) Urbanized Formula***

- The FTA has followed existing formulas for allocating urban funding based on population. The funding is intended to be used for operating and capital assistance for public transportation operators that have realized an impact due to COVID-19. This includes lost revenue, the purchase of PPE, procuring cleaning supplies, maintenance costs, and the payment of administrative leave of operations personnel due to reductions of service. In most cases the federal

funding will reimburse 100 percent of the cost of these noted expenses. This funding will flow directly to the urban operators (for example, Flint Hills Area Transportation Agency, Johnson County Transit, Lawrence Transit, Topeka Metropolitan Transit Authority, Unified Government of Wyandotte County Transit, and Wichita Transit). The CARES Act provides that these funds are available until expended.

***\$38.8 million for FTA Non-urbanized Formula***

- Funding for non-urbanized transit will be apportioned to the Kansas Department of Transportation. The agency is currently tracking COVID-19-related expenses along with network providers and will distribute the funding as it comes available, as well as receipt of any documentation of expenses from the agency's providers. Similarly, this funding is intended to be used for operating and capital assistance for public transportation operators that have realized an impact due to COVID-19. This includes lost revenue, the purchase of PPE, procuring cleaning supplies, maintenance costs, and the payment of administrative leave of operations personnel due to reductions of service. In most cases the federal funding will reimburse 100 percent of the cost of these noted expenses. The CARES Act provides that these funds are available until expended.