



## **Federal Actions Requested to Address the Impact of COVID-19 on the Volunteer Emergency Services**

Updated November 30, 2020

Volunteer fire, EMS, and rescue departments face unprecedented challenges related to the COVID-19 pandemic and associated social distancing guidelines. This document identifies policies that the federal government should pursue to help support volunteer fire and EMS organizations.

- **Increase federal grant funding to help fire and EMS agencies maintain service provision and ensure the health and safety of responders**
- **Make emergency services organizations and personnel the highest priority for testing, PPE, and vaccine distribution**
- **Invoke Defense Production Act to encourage manufacturers to produce more PPE**
- **Expand access for non-profit emergency services orgs to SBA's Economic Injury Disaster Loan and Paycheck Protection Program**
- **Make the Volunteer Responder Incentive Protection Act (VRIPA) permanent**
- **Waive all federal cost-share for assistance under the emergency declaration**
- **Include volunteer emergency responders in proposals providing hazard pay to frontline workers**
- **Allow EMS organizations to be reimbursed for services other than transport to a hospital**
- **Make it possible for special districts to receive Coronavirus Relief Funds (CRF)**
- **Allow CRF assistance to be used to cover revenue shortfalls**

### **Increase federal grant funding to help fire and EMS agencies maintain service provision and ensure the health and safety of responders**

Fire and EMS organizations are facing significant financial challenges due to COVID-19. Lower tax revenues, reduced ambulance transport reimbursement payments, and inability to host community fundraising events have left many emergency services organizations in the position of having to divert funds from purchasing equipment and/or vehicles, or investing in training and recruitment and retention, so that they can afford to maintain basic operations.

Federal grant programs can help local agencies keep up with necessary equipment, vehicle, training, and staffing outlays to maintain service provision and ensure the health and safety of responders. Programs like the Assistance to Firefighters Grant (AFG) and Staffing for Adequate Fire and Emergency Response (SAFER), administered by the Federal Emergency Management Agency (FEMA) help fire departments address shortfalls in equipment, apparatus, training, and staffing. The Volunteer Fire Assistance (VFA) grant program, administered by the U.S. Forest Service (USFS), helps volunteer fire departments pay for equipment and training specifically to help bolster wildland fire response capabilities. The Supporting and Improving Rural EMS Needs (SIREN) grant program provides assistance to rural EMS agencies and hospitals to bolster rural EMS capabilities. Increasing support for these critical grant programs would help agencies that are struggling financially to maintain baseline levels of service provision.

- \$750 million each for AFG and SAFER (increased from \$355 million in FY 2020)
- \$25 million for VFA (increased from \$18 million in FY 2020)
- \$20 million for SIREN (increased from \$5 million in FY 2020)

### **Make emergency services organizations and personnel the highest priority for testing, PPE, and vaccine distribution**

Shortages of personal protective equipment (PPE), including respirators, gowns, gloves, and face shields, increase the risk of exposure that fire, EMS, and rescue services personnel face in responding to emergencies. At the same time, a lack of access to testing, and delays in getting the results from tests back, have led to personnel who have the virus but are asymptomatic continuing to respond even as others who are not infected remain in isolation due to an exposure.

- Support the National Academies of Sciences recommendation that emergency responders, including volunteer fire and EMS, be the highest priority for receiving COVID-19 vaccinations once they become available
- Direct the Department of Health and Human Services to clarify that emergency responders, including volunteer fire and EMS, should be the highest priority for COVID-19 testing and distribution of PPE

### **Invoke Defense Production Act to encourage manufacturers to produce more PPE**

On April 29 [the NVFC asked President Trump](#) to use his authority under the Defense Production Act (DPA) to encourage manufacturers to produce more Personal Protective Equipment (PPE) like respirators, gowns, gloves, and face shields. The President has previously invoked the DPA to increase the supply of ventilators. According to FEMA the supply of PPE in the United States has increased by roughly 50 percent since December of 2019, but unfortunately demand has risen even more steeply leading to shortfalls across the country. President Trump has not exercised his authority under the DPA to increase domestic production of PPE.

- Invoke the DPA to increase domestic production of PPE

### **Expand access for non-profit emergency services orgs to SBA's Economic Injury Disaster Loan and Paycheck Protection Program**

The Small Business Administration's (SBA) Economic Injury Disaster Loan (EIDL) and Paycheck Protection Program (PPP) provide forgivable loans to small businesses and nonprofit organizations that have suffered economic injury as a result of the pandemic. Many volunteer fire and EMS agencies are nonprofit organizations and should theoretically qualify for EIDL and/or PPP assistance. The NVFC has heard from a number of member agencies that have been denied EIDL and/or PPP loans because the banks in charge of disbursing funding were under the misimpression that fire and EMS agencies were not eligible. There is also a stipulation in the EIDL program that organizations are ineligible if more than a third of their gross revenue comes from legal gambling. Many nonprofit fire and EMS organizations raise money through bingo and/or raffles and are therefore unable to receive EIDL funding. SBA eliminated the legal gambling restriction for PPP in May but has yet to respond to the NVFC's request that they also do so for EIDL.

- Eliminate the restriction on legal gambling as a revenue source in the EIDL program
- Provide guidance to banks and non-profit emergency services agencies clarifying that the latter are eligible for EIDL and PPP funding and how to apply

### **Make the Volunteer Responder Incentive Protection Act (VRIPA) permanent**

VRIPA, which is currently set to expire at the end of this year, makes nominal incentives that volunteer emergency responders receive as a reward for their service exempt from federal income tax and reporting.

The NVFC estimates that more than 400,000 volunteer firefighters in the United States receive some type of taxable incentive. Communities use benefits like per-call payments, monthly or annual stipends, or property tax deductions to demonstrate that volunteers are valued in order to bolster staffing. Many volunteer emergency services organizations will be ramping up recruitment and retention once social distancing restrictions are lifted. Making VRIPA permanent will make it easier for those organizations to establish or expand benefits to entice volunteers. Failure to extend VRIPA beyond this year will result in the taxes that volunteers have to pay on their incentives increasing beginning in 2021. The HEROES Act, which passed the House of Representatives on May 15, makes VRIPA permanent, as does the “HEROES 2.0” bill that the House passed in September.

- Recommend that a permanent VRIPA extension be included in the next COVID relief bill.

### **Waive all federal cost-share for assistance under the emergency declaration**

Many volunteer emergency services organizations struggle to pay the required 25 percent local cost share for Federal Emergency Management Agency (FEMA) disaster assistance. Under 44 CFR 206.47(d) FEMA has the ability to increase the federal cost share for emergency response to 100 percent at the direction of the president. The HEROES Act, which passed the House of Representatives on May 15, waives the local cost share for FEMA disaster assistance.

- Direct the FEMA Administrator to waive the local cost share for disaster assistance.

### **Include volunteer emergency responders in proposals to provide federal hazard pay to frontline workers**

Volunteer emergency responders who receive no compensation or nominal compensation under normal circumstances should be included in any federal scheme to compensate essential personnel who are unable to practice social distancing due to the nature of their work. Making volunteer emergency responders eligible to receive “hazard pay” would bolster staffing at fire and EMS agencies that are currently unable, due to social distancing, to recruit and train new volunteers to make up for higher-than-normal rates of attrition.

The HEROES Act, which passed the House of Representatives on May 15, appropriates \$180 billion for “premium pay” for essential workers. Volunteer emergency responders are not eligible for premium pay under the HEROES Act, however, because they are not employees.

- Recommend that uncompensated or nominally compensated frontline workers be made eligible for “premium pay” in the next COVID relief bill.

### **Allow EMS organizations to be reimbursed for services other than transport to a hospital**

A major source of funding for EMS – in some agencies the only source of funding – is reimbursement for transporting patients to a hospital’s emergency department. So far during the pandemic, regular calls for hospital transport are down and public health guidelines discourage people from going to the hospital, including if they are exhibiting signs of having contracted COVID-19, unless it is absolutely necessary. Many EMS organizations are treating patients without transporting them, including administering tests for COVID-19. Provision of non-transport services contribute greatly to public health and reduce burdens on hospitals, but they have also resulted in lower revenues for EMS organizations, even as many are also experiencing financial difficulties due to inability to fundraise and lower local tax revenues. The range of out-of-hospital medical services provided by emergency services organizations that are eligible for reimbursement should be expanded.

- Support legislation to make treat-in-place eligible for reimbursement under Medicare.

- Recommend that treat-in-place of COVID-19 patients be eligible for reimbursement under Medicare as part of the next COVID relief bill.

**Make it possible for special districts to receive Coronavirus Relief Funds (CRF)**

There are thousands of emergency services organizations throughout the nation that operate as special districts, including many that rely on volunteer staffing. These agencies are experiencing the same challenges with declining revenues as non-profit and municipal fire and EMS departments. Under current law, only local and state governments are eligible to receive direct assistance through the CRF. The Special Districts Provide Essential Services Act would allocate five percent of future CRF funding appropriated by Congress to be made available to special districts.

- Support the Special Districts Provide Essential Services Act

**Allow CRF assistance to be used to cover revenue shortfalls**

Under current U.S. Department of Treasury guidance, CRF assistance can only be used to offset costs associated with COVID-19, and not to offset revenue shortfalls brought about by the pandemic. Most fire and EMS agencies have seen their revenues decrease significantly due to lower tax receipts, inability to fundraise, and reduced revenue from ambulance transport reimbursement. Allowing CRF assistance to be used to replace reduced revenue would make it easier for emergency services organizations to fill in budget gaps and continue providing services.

- Allow CRF assistance to be used to cover revenue shortfalls