

116TH CONGRESS  
2D SESSION

# H. R. 8441

To establish certain protections and benefits for front line workers, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2020

Mrs. TORRES of California (for herself, Ms. LEE of California, Mr. VARGAS, Mr. SUOZZI, Mr. SOTO, Mr. HASTINGS, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. RASKIN, Mr. CISNEROS, Mr. CONNOLLY, Mr. VELA, Mrs. NAPOLITANO, Ms. SEWELL of Alabama, Ms. NORTON, and Mr. CARSON of Indiana) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish certain protections and benefits for front line  
workers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Frontline Heroes Act”.



1 (A) the Coronavirus Preparedness and Re-  
2 sponse Supplemental Appropriations Act, 2020  
3 (Public Law 116–123);

4 (B) the Families First Coronavirus Re-  
5 sponse Act (Public Law 116–127);

6 (C) the CARES Act (Public Law 116–  
7 136); and

8 (D) the Paycheck Protection Program and  
9 Health Care Enhancement Act (Public Law  
10 116–139); and

11 (E) any other Federal statute enacted in  
12 response to the COVID–19 pandemic; and

13 (2) may require such reporting to be made in  
14 such form, in such manner, and by such time as the  
15 Secretary determines.

16 (c) REPORT TO CONGRESS.—Not later than 90 days  
17 after the date of enactment of this Act, Secretary shall  
18 submit a report on the status of data collection under this  
19 section and any initial findings and conclusions resulting  
20 from such collection to the appropriate congressional com-  
21 mittees, including—

22 (1) the Committee on Appropriations and the  
23 Committee on Energy and Commerce of the House  
24 of Representatives; and



1 claimant may file a claim for compensation for death  
2 or disability related to COVID-19 with the Assistant  
3 Attorney General by mail or on an online portal cre-  
4 ated by the Assistant Attorney General.

5 (2) WEBSITE.—The Assistant Attorney General  
6 of the Civil Division of the Department of Justice  
7 shall publish on the Department of Justice website  
8 instructions for submitting a claim for compensation  
9 under this section.

10 (b) ELIGIBILITY.—The following claimants shall be  
11 eligible to receive compensation under this section:

12 (1) A claimant who was a frontline healthcare  
13 worker at the time that the claimant received a  
14 COVID-19 diagnosis or in the 45-day period before  
15 such diagnosis.

16 (2) In the case that the frontline healthcare  
17 worker is deceased, a survivor of a frontline  
18 healthcare worker described in paragraph (1) in the  
19 following order of precedence:

20 (A) The surviving spouse of the frontline  
21 healthcare worker described in paragraph (1) if  
22 the spouse was married to the claimant for at  
23 least 1 year before the frontline healthcare  
24 worker's death.

1           (B) If there is no person meeting the re-  
2           quirements of subparagraph (A), the children of  
3           the frontline healthcare worker described in  
4           paragraph (1), in equal shares.

5           (C) If there is no person meeting the re-  
6           quirements of subparagraph (A) or (B), the  
7           parents of the frontline healthcare worker de-  
8           scribed in paragraph (1), in equal shares.

9           (D) If there is no person meeting the re-  
10          quirements of subparagraph (A), (B), or (C),  
11          the grandchildren of the frontline healthcare  
12          worker described in paragraph (1), in equal  
13          shares.

14          (E) If there is no person meeting the re-  
15          quirements of subparagraph (A), (B), (C), or  
16          (D), the grandparents of the frontline  
17          healthcare worker described in paragraph (1),  
18          in equal shares.

19          (F) If there is no person meeting the re-  
20          quirements of subparagraph (A), (B), (C), (D),  
21          or (E), the person designated on a life insur-  
22          ance policy of the frontline healthcare worker  
23          described in paragraph (1).

24          (c) NECESSARY DOCUMENTATION.—A claim filed  
25          under this section shall include—

1           (1) evidence of employment as a frontline  
2           healthcare worker during the time that COVID-19  
3           was diagnosed or during the 45-day period before  
4           such diagnosis;

5           (2) a medical statement of a COVID-19 diag-  
6           nosis, whether confirmed by a test or a presumptive  
7           diagnosis by a qualified medical professional, and  
8           confirmation that death or disability was from  
9           COVID-19 or connected to complications due to  
10          SARS-CoV-2; and

11          (3) in the case of a claim for a death benefit,  
12          the death certificate of a frontline worker, or in the  
13          case of a claim for a disability benefit, evidence of  
14          total and permanent disability as a result of  
15          COVID-19 or connected to complications due to  
16          SARS-CoV-2.

17          (d) REVIEW CLAIM.—Not later than 90 days after  
18          a claim is submitted under subsection (a), such claim shall  
19          be reviewed to determine whether the claimant is eligible  
20          to receive compensation under this section.

21          (e) AMOUNTS.—A claimant who is eligible to receive  
22          compensation under this section shall receive a one-time  
23          lump sum payment of \$365,670 not later than 90 days  
24          after the claimant is determined to be eligible to receive  
25          compensation under this section. Any compensation re-

1 ceived under this section shall not preclude the claimant  
2 from receiving any collateral source compensation to which  
3 the claimant is entitled.

4 (f) APPEALS.—

5 (1) APPEALS OFFICER.—The Assistant Attor-  
6 ney General of the Civil Division of the Department  
7 of Justice shall appoint appeals officers to review  
8 appeals made pursuant to paragraph (2).

9 (2) APPEALING DENIAL.—In the case that a  
10 claim under this section is denied, a claimant may  
11 file an appeal of such denial with an appeals officer  
12 not later than 60 days after such denial.

13 (3) REVIEW.—In reviewing an appeal, an ap-  
14 peals officer may—

15 (A) grant compensation under this section;

16 (B) deny compensation under this section;

17 or

18 (C) send the claim to the Assistant Attor-  
19 ney General of the Civil Division of the Depart-  
20 ment of Justice for further review, including for  
21 the purpose of collecting additional evidence.

22 (g) NO FEDERAL TAX OR COLA.—Any payment  
23 made to a claimant under this section shall not be subject  
24 to any Federal tax or cost of living adjustment.



1 (h) FINAL AGENCY ACTION.—A decision by an ap-  
2 peals officer shall be considered a final agency action for  
3 purposes of judicial review.

4 (i) PAYMENT OF MEDICAL EDUCATION LOANS NOT  
5 DISCHARGED UPON DEATH.—

6 (1) IN GENERAL.—A claimant who is eligible to  
7 receive compensation under subsection (b)(2) shall  
8 also be eligible to have the Assistant Attorney Gen-  
9 eral of the Civil Division of the Department of Jus-  
10 tice pay off any private medical education loan of  
11 the frontline healthcare worker that was not dis-  
12 charged upon the death of the worker.

13 (2) FILING OF CLAIM.—A claimant may apply  
14 for the payment of a medical education loan under  
15 this subsection by including such request in a claim  
16 filed under subsection (a), along with such docu-  
17 mentation as the Attorney General may require.

18 (3) PAYMENT SEPARATE FROM COMPENSATION  
19 AMOUNT.—The amount of any payment made under  
20 paragraph (1) shall be in addition to the amount de-  
21 scribed under subsection (e).

22 (4) DEFINITION OF PRIVATE MEDICAL EDU-  
23 CATION LOAN.—In this subsection, the term “private  
24 medical education loan” means a private education  
25 loan (as defined under section 140(a) of the Truth

1 in Lending Act) issued with respect to a medical  
2 education.

3 (j) RULEMAKING.—Not later than 180 days after the  
4 date of enactment of this Act, the Attorney General shall  
5 issue rules to implement this section, including rules on  
6 the process for determining disability status.

7 (k) EFFECTIVE PERIOD.—This section shall take ef-  
8 fect on the date that is 180 days after the date of enact-  
9 ment of this Act and shall cease to be effective 5 years  
10 after such date.

11 (l) DEFINITION.—In this section:

12 (1) ASSISTANT ATTORNEY GENERAL OF THE  
13 CIVIL DIVISION OF THE DEPARTMENT OF JUSTICE.—The term “Assistant Attorney General of the  
14 CIVIL DIVISION OF THE DEPARTMENT OF JUSTICE” means  
15 Civil Division of the Department of Justice” means  
16 the Attorney General, acting through the Assistant  
17 Attorney General of the Civil Division of the Depart-  
18 ment of Justice.

19 (2) COLLATERAL SOURCE COMPENSATION.—  
20 The term “collateral source” means all collateral  
21 sources, including life insurance, pension funds, or  
22 any other death or disability benefit program or pay-  
23 ment for which the individual is eligible.

24 (3) DISABILITY.—The term “disability” means,  
25 with respect to an individual, that such individual

1 has a condition, the direct and proximate con-  
2 sequences of which permanently prevent the indi-  
3 vidual from performing any gainful work.

4 (4) FRONTLINE HEALTHCARE WORKER.—The  
5 term “frontline healthcare worker” means—

6 (A) all employees of healthcare facilities,  
7 nursing homes, and long-term care facilities  
8 and emergency care providers, including para-  
9 medics and medical personnel who transport pa-  
10 tients to the hospital; and

11 (B) the contractors who are physically  
12 present at such facilities.

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