

## COVID-19 LEGISLATIVE UPDATES: “GOOD SAMARITAN” EXECUTIVE ORDER, STATE LEGISLATION, FEDERAL CORONAVIRUS RELIEF BILL (CARES ACT)

April 10, 2020 Law Alerts



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### The “Good Samaritan Order:” Protecting Frontline Healthcare Workers Responding to the COVID-19 Outbreak

On April 9, 2020, Governor Ducey issued an Executive Order addressing qualified immunity for frontline healthcare workers responding to COVID-19 patients. The Order indicates that any licensed professional healthcare worker, any recruited emergency volunteer, any emergency medical technician, and any licensed health care entity or other entity designated to respond to the COVID 19 emergency, is presumed to act in good faith in responding to the pandemic, and has qualified immunity for actions undertaken in good faith in responding to the emergency. In other words, any claimant suing such listed person/entity must (a) overcome the presumption that the acts were done in good faith, and (b) prove gross negligence or willful misconduct. The order is in effect through June 30, but applies to conduct occurring before then even after the order expires.

[read the executive order here](#)

### State Legislation

The Arizona legislature has been addressing the pandemic in a number of ways.

**Schools:** The Governor signed [HB 2910](#), addressing school closures, on March 27. This bill provides that because the Governor’s school closure order has not been lifted as of the end of March,

- public schools are not required to make up the lost days and hour missed as a result of the closure.
- each public school is required to educate students with alternative means through the end of the school year as a condition of receiving school funding.
- each public school is required to continue to pay all its employees, including hourly employees, for the duration of the school closure, if employees that are able to perform work tasks remotely do so and other employees are reassigned to other tasks performed remotely beginning March 30, 2020 through the duration of the closure.

**Unemployment benefits:** The Governor signed [SB 1694](#) on March 27. This bill, effective immediately, authorizes the Department of Economic Security to implement alternative benefit eligibility and employer contribution requirements for individuals and employers affected by a federal declaration of emergency related to the coronavirus disease 2019. The stated intent of the bill is to “ease eligibility requirements and strengthen access to the unemployment insurance program, including waiving work search requirements and the waiting week and not charging employers that are directly impacted by coronavirus disease 2019 due to an illness in the workplace or direction from a public health official to isolate quarantined workers.”

**Budget:** On March 12 the Governor signed [SB 1051](#), which extends the statutory life of the Department of Health Services to July 1, 2028, and appropriates \$5 million up to \$50 million from the Budget Stabilization Fund in FY2019-20 to pay for the state’s expenses relating to COVID-19.

### Federal Legislation

Congress has also been busy passing the [Federal Coronavirus Relief Bill](#) in addition to the Families First Coronavirus Relief Act (FFCRA).

The Federal Coronavirus Relief Bill (CARES Act), the largest economic relief bill in U.S. history, will allocate \$2.2 trillion in support to individuals and businesses affected by the pandemic and economic downturn. For individuals, the recovery rebates are refundable tax credits that decrease a taxpayer's tax liability dollar-for-dollar. The credit can be refunded to a taxpayer if they have no tax liability to offset. Though the credit is applied to 2020 tax returns, it is advanced to taxpayers now based on their 2019 or 2018 adjusted gross income. For businesses, the CARES Act includes nearly \$350 billion for a small business loan program called the Paycheck Protection Program. The program is designed to get cash into the hands of suffering small businesses quickly, with less red tape than the SBA's existing loan programs. It is designed to incentivize business owners to keep employees on the payroll by offering them loan forgiveness. Lenders will be distributing the funds, which are backed by a federal loan guarantee.

[read our FFCRA GUIDE FOR ARIZONA EMPLOYERS](#)

**Eileen GilBride** leads the firm's [Appellate Department](#), and focuses her practice on representing clients in federal and state appellate matters and dispositive motions. She also counsels and assists trial lawyers in the substantive areas of their practices, from the answer stage through the post-trial motion stage. Eileen has handled more than 400 appeals at every level of the state and federal courts, in Arizona and other states, which have resulted in more than 80 published decisions.