

MELICK & PORTER, LLP COVID-19 MEMO:

Melick & Porter, LLP provides you with the below update regarding the impact of COVID-19 on issues relating to insurance in the United States. The below is not meant to be all-inclusive, but provides an overview as to the trends in the United States. If you have any questions regarding any of the updates below, please do not hesitate to contact us.

SUMMARY OF IMPORTANT LEGISLATION AND EMERGENCY ORDERS AND DIRECTIVES:

Below we provide an overview as to the types of legislative actions that have been occurring, both on a federal and state level.

- The [Equal Employment Opportunity Commission](#) held an event on May 20, 2021 which addressed the Commission's resolution condemning violence, harassment, and acts of bias against Asian Americans and Pacific Islanders (AAPIs).
- In the U.S., [279 million](#) vaccine doses have been administered. In the last week, an average of 1.87 million vaccine doses per day were administered.
- President Biden signed [S.937](#) the "[COVID-19 Hate Crimes Act](#)" into law which requires the Justice Department to facilitate expedited review of hate crimes and authorizes grants to state, local, and tribal governments to prevent, address, or respond to hate crimes.
- The [Biden](#) Administration announced the U.S. will donate 80 million vaccine doses globally by the end of June. The U.S. will continue to donate from excess supply as it is delivered.
 - The U.S. will use its leadership with the G7, the EU, COVAX, and others to coordinate a multilateral effort focused on ending the pandemic, specifically focused on making vaccines more globally available.
- The number of Massachusetts communities at [high risk](#) for COVID-19 has dropped for the fifth consecutive week, 2 communities were in the red zone, according to [state](#) data.
- Effective May 29, 2021, [Massachusetts](#) will lift all COVID-19 restrictions in all industries. Gathering limits will be rescinded allowing all industries to operate at 100% capacity. All industries will be encouraged to follow CDC guidance for cleaning and hygiene protocols.
 - Additionally, the current face covering order will be rescinded. Face coverings will still be required on public and private transportation, healthcare facilities, and congregate care settings. Non-vaccinated individuals are still advised to wear face masks and to continue physical distancing in most settings.
 - Governor Charles Baker will end the Massachusetts State of Emergency on June 15, 2021.

- [New Hampshire](#) released Universal Best Practices which replaced all existing “Safer at Home 2.0” business operations guidance put in place in March 2020.
- Effective May 24, 2021, [Maine](#) will lift all capacity limits and requirements to physically distance in all public outdoor settings, and lift all capacity limits in public indoor venues. Face coverings must still be worn in public indoor settings.
- As of May 19, 2021, all [Connecticut](#) business sector rules enacted to prevent the spread of COVID-19 have been lifted with the exception of certain mask requirements.

INSURANCE AND COVERAGE RELATED NEWS AND ORDERS/LEGISLATION:

Below we provide an update as to regulations, news, and litigation specifically related to insurance and potential coverage.

- Three state supreme courts and at least two federal circuit courts are preparing to take up cases filed against [insurance companies](#) over business interruption claims stemming from the pandemic.
 - Nearly [1,700](#) lawsuits have been filed by businesses against their insurers, which denied claims for interruption coverage submitted after state and local government officials ordered lockdowns throughout the country last year.
 - Most judges, especially in federal courts, have sided with insurers which have insisted that COVID-19 did not result in a physical loss or damage to their properties as required under the policies.

BUSINESS AND COMMERCE NEWS AND LEGISLATION RELATED TO COVID-19:

Below we discuss news regarding the economic impact of COVID-19 and measures being taken to address that.

- The [SBA](#) and Office of Women’s Business Ownership (OWBO) began accepting applications for the Women’s Business Centers (WBC) Resiliency and Recovery Demonstration Grant.
 - The purpose of the grant is to continue or establish innovative projects that aim to improve service delivery, training, and support to women-owned businesses impacted by COVID-19.
- The [SBA](#) and the non-profit Public Private Strategies announced the launch of a regional webinar series, “*Getting Back on Track: Help is Here*” to provide entrepreneurs with resources to recover from COVID-19.

- The webinars will feature speakers from The White House, the SBA, Members of Congress, and small business leaders, as well as provide update on the American Rescue Plan.
- The [IRS](#) and the Department of Treasury announced that the first monthly payment of the expanded and newly-advanceable Child Tax Credit (CTC) from the American Rescue Plan will be made on July 15, 2021.
 - 39 million households, covering 88% of children in the United States, are slated to begin receiving monthly payments without any required further action.
- Massachusetts opened certain industries as part of Phase IV Step II on May 10, 2021. All industries will open with no restrictions effective May 29, 2021 pending public health and vaccination data. Learn more about reopening Massachusetts here: <https://www.mass.gov/info-details/reopening-massachusetts>

LITIGATION/CIVIL JUSTICE SYSTEM UPDATES AND ORDERS:

Below we, highlight additional judicial orders and trends related to the COVID-19 pandemic.

- As of May 18, 2021, All [New Hampshire](#) courts clerks' offices in all courts and committees' offices are open to the public.
- Beginning June 1, 2021, the [Connecticut](#) Judicial Branch will resume summoning jurors to courthouses throughout the state to restart the jury trial process.
- [Maine](#) will begin phase I of reopening the courts on June 1, 2021. Any person entering a courthouse must wear an approved face covering and social distancing measures must be observed. The courts will be open to the public from 8:00 AM to 4:00 PM Monday-Friday.
- State Guidance on Foreclosure proceedings:
 - Connecticut - <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-10A.pdf>
 - Rhode Island <https://www.courts.ri.gov/Courts/SupremeCourt/SupremeExecOrders/20-12.pdf>
 - Massachusetts - [COVID-19 Eviction Information / Reliance on CDC Federal Moratorium through 06.30.2021](#)
 - New Hampshire - <https://courts-state-nh-us.libguides.com/evictions>