

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:

- In the U.S., [360 million vaccine doses](#) have been administered. In the last week, an average of 823,355 vaccine doses per day were administered.
- The [Biden administration](#) announced plans to help small businesses through the Build Back Better Agenda including: leveling the playing field by reforming the tax code, giving tax cuts to 3.9 million small business owners, increasing access to contracting, capital, and technical assistance for small firms, and creating a national federally-funded paid leave program.
- [Dr. John Brownstein](#), a Boston Children's Hospital physician and Harvard professor, stated masking, social distancing, testing and vaccinations for those eligible are necessary to keep children safe this upcoming school year.
- [Three U.S. senators](#) have tested positive for COVID-19 despite being vaccinated. Senators Angus King (I-ME), Roger Wicker (R-Miss.) and John Hickenlooper (D-CO.). All three senators spent long hours on the Senate floor last week in an all-night session of budget votes before the August recess.
- U.S. health officials announced a plan to roll out COVID-19 [booster shots](#) this September. All adults who received a two-dose vaccine would be eligible for a booster eight months after they received their first dose.
 - For individuals who received the [Johnson & Johnson vaccine](#), the U.S. surgeon general Dr. Vivek Murthy anticipates boosters will likely be needed with more data on the J&J boosters expected in the coming weeks.
- Early [data](#) showed breakthrough infections in vaccinated individuals accounted for at least 1 in 5 newly diagnosed cases in six states – California, Colorado, Massachusetts, Oregon, Utah, Vermont, and Virginia.
- A new [study](#) by a Canadian [public health agency](#) found that while babies and toddlers are less likely to bring COVID-19 into their homes, they are more likely to spread the virus to others in their household.

- The U.S. is facing a continued [blood](#) shortage that is impacting the medical care of millions of Americans. According to the [Red Cross](#), the demand for red blood cells from hospitals with trauma centers increased by 10% in the last year.
- [Pfizer BioNTech and Moderna](#) are both running large pediatric trials to study the effectiveness and safety of their COVID-19 mRNA vaccines for children under the age of 12.
 - Currently, it looks like Pfizer will be the first shot available to children under 12, the company expects to have enough data by the [end of September](#) to support an emergency use authorization for its vaccine in children aged 5-11.
- Effective May 29, 2021, [Massachusetts](#) lifted all COVID-19 industry restrictions. Face coverings are still required while using public and private transportation as well as in facilities housing vulnerable populations.
 - [Acting Boston Mayor Kim Janey](#) announced a mask mandate for indoor public places in Boston which will take effect on August 27, 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.
 - [Governor Chris Sununu](#) closed both the State Emergency Operations Center and Joint Information Center on June 30, 2021. Ongoing pandemic operations transitioned to the New Hampshire Department of Health and Human Services.
- [Maine](#) lifted all capacity limits and physical distancing requirements in outdoor and indoor settings, individuals who are not vaccinated are urged to continue wearing face masks.
 - [Governor Janet Mills](#) ended Maine’s State of Civil Emergency on June 30, 2021. The face covering requirement for indoor pre-12 schools and child care facilities also ended on June 30, 2021.
 - The [Mills administration](#) announced that the state of Maine will follow CDC updated face covering guidelines. York and Piscataquis counties have “substantial” levels of community transmission at this time.
 - The [Mills administration](#) announced that it will require all health care workers to be vaccinated against COVID-19.
- 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.
 - Effective August 5, 2021, Connecticut municipal leaders have the option of requiring masks to be worn in indoor public places within their respective towns and cities, regardless of vaccination status.

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.

- [The Occupational Safety and Health Administration](#) (OSHA) updated its guidance for COVID-19 safety measures for higher-risk industries with workplaces that have mixed vaccination status employees.
 - The revised guidance recommends: fully vaccinated workers in areas of substantial or high community transmission continue wearing face masks, fully vaccinated workers who have close contact wear masks for up to 14 days unless they have a negative COVID-19 test 3-5 days after such close contact.
- The COVID-19 pandemic caused a [4% drop in births](#) between 2019 and 2020 to 3.6 million, according to the National Center for Health Statistics. It is the biggest drop since 1973 when fear of overpopulation led many U.S. mothers to give up on the idea of having more than two children.

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](#) has received more than 340,000 submissions from borrowers with PPP loans of \$150,000 or less since the opening of the Paycheck Protection Program Director Borrower Forgiveness Portal opened on August 4, 2021.
- The [SBA](#) issued 14 grant awards of up to \$200,000 each to organizations in 13 states as part of the Women's Business Centers (WBC) Resiliency and Recovery Demonstration Grant under the SBA's Office of Women's Business Ownership (OWBO)
- The [IRS](#) and the Treasury Department announced that millions of American families received their advance Child Tax Credit (CTC) payment for the month of August as direct deposits began posting in bank accounts.
 - The second batch of advance monthly payments, worth about \$15 billion, are reaching about 36 million families.
- The [IRS](#) Security Summit urged tax professionals to learn the signs of data theft so they can react quickly to protect clients.
- Massachusetts opened all industries with no restrictions on May 29, 2021. 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. Face coverings are not required; though unvaccinated individuals are urged to wear a mask.
- Beginning June 1, 2021, the [Connecticut](#) Judicial Branch resumed summoning jurors to courthouses throughout the state to restart the jury trial process. No person is permitted to enter a Judicial Branch courthouse or facility without a face covering. All Judicial Branch Law Libraries reopened to patrons on June 16, 2021.
- Effective August 16, 2021, members of the public, regardless of vaccination status, must wear an approved face mask while inside a [Maine](#) courthouse or other Judicial Branch facility.
- Effective July 12, 2021, [Massachusetts](#) lifted all capacity limits and restrictions on jury trials. On July 1, 2021, the Supreme Judicial Court passed two orders that rolled back or amended COVID-19 era policies. All participants, regardless of vaccination status, will be required to wear a mask and some proceedings will continue to take place remotely.
- 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>