

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.

- Congress continues to debate a new coronavirus relief package, possibly as part of a government spending bill due December 11. Here are the latest developments:
 - Senate Majority Leader Mitch McConnell [rejected](#) a proposed bipartisan coronavirus package Tuesday.
- The Centers for Disease Control and Prevention (CDC) is [suggesting](#) that Americans postpone holiday travel after a busy Thanksgiving weekend that will likely result in a surge of new coronavirus cases.
- On December 2, 2020, the CDC [updated](#) its guidance by shortening its recommended quarantine times for people who have been exposed to the virus from 14 days to 10 days if the individual is not exhibiting any symptoms and has not been tested.
 - If someone has tested negative, the CDC recommends quarantining for seven days, though officials say 14 days is still the best way to reduce transmission.
- The U.K. on Wednesday became the first country to [authorize](#) the Pfizer-BioNTech coronavirus vaccine distribution of the vaccine will begin next week. The U.S. FDA is reviewing the same vaccine for emergency authorization.
- On November 24, 2020, the U.S. FDA posted [two Serology Templates](#) with updated recommendations on the content and data for Emergency Use Authorization (EUA) requests or Pre-EUA submissions.
- U.S. Customs and Border Protection has announced on November 23, 2020 that it will continue to enforce the restrictions on “non-essential” travel across U.S. land borders with Canada and Mexico through December 21, 2020, with possible extensions beyond this date if deemed necessary.

- The U.S. Centers for Medicare & Medicaid Services issued an interim final rule with comment period implementing a mandatory “Most Favored Nation” demonstration model to test Medicare reimbursement based on international reference prices.
- British pharmaceutical company AstraZeneca said Monday that clinical trials showed its COVID-19 vaccine has an average [efficacy](#) of 70 percent and some trials showing 90 percent efficacy.

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 U.S. property/casualty industry’s net underwriting income fell 86% in the first nine months of 2020, compared with the year-earlier period, to \$600 million, as insurers reported COVID-19-related increases in underwriting expenses and dividends to policyholders, according to an A.M. Best report released on November 30, 2020.

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 Congressional Oversight Commission, responsible for overseeing Covid-19 relief funds has released its seventh [report](#) as mandated by the CARES Act.
- The U.S. Treasury Department wants state and federal regulators to keep a vigilant watch on digital asset innovation. According to [a report](#) released on December 3, 2020, by the Financial Stability Oversight Council, digital assets are a “particularly good example” of both benefits and potential risks associated with innovation.

LITIGATION/CIVIL JUSTICE SYSTEM UPDATES AND ORDERS:

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

- In consideration of the end of the state moratorium on eviction cases, the Massachusetts Appeals Court has updated its website to include additional resources for lawyers and self-represented parties regarding appeals in summary process cases. These new website pages are available [here](#).
- On December 1, 2020, the Massachusetts Appeals Court issued [Administration Order 20-6](#), on Appeals Court special procedures applicable to motions to stay a judgment or order in a summary process case. The Juvenile Court amended [Standing Order 11-20: Emergency court operations under the exigent circumstances created by COVID-19](#).

- On November 23, 2020, the Massachusetts Appeals Court issued [Administrative Order 20-5](#), on Appeals Court authorization of the preparation and submission of filings via the Suffolk University Law School's Legal Innovation and Technology Lab.
- On November 24, 2020, the Maine Judicial Branch [announced today](#) eFiling beginning November 30, 2020.
- On December 1, 2020, the Supreme Court of New Hampshire issued the [Twelfth Renewed and Amended Emergency Order](#), which governs New Hampshire Supreme Court proceedings and restricts access to the Supreme Court Building.
- On December 1, 2020, the Supreme Court of New Hampshire issued the [Twelfth Renewed and Amended Emergency Order](#), which governs New Hampshire Superior Court proceedings and restricts access to courthouses.
- On December 1, 2020, the Supreme Court of New Hampshire issued the [Twelfth Renewed and Amended Emergency Order](#), which governs New Hampshire District Court proceedings and restricts access to courthouses.
- On December 2, 2020, the State of Connecticut Judicial Branch issued a [Notice](#) following Governor New Lamont's Executive Order No. 90. Directing the resumption of requirements and deadlines related to Supreme and Appellate Court operations and related to offers of compromise.