

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 announced on March 30, 2021 that the 2019 and 2020 EEO-1 Component 1 data collection will open on Monday, April 26, 2021.
 - All private employers with 100 or more employees, as well as federal contractors with 50 or more employees, are expected to submit EEO-1 Component 1 data to the EEOC, indicating the composition of their workforces by sex and by race/ethnic category.
- The U.S. is revamping its vaccination campaigns to adjust to an indefinite [halt in Johnson & Johnson's doses](#), which has required officials to reschedule tens of thousands of appointments as they seek to reassure people that COVID-19 vaccines are safe.
- The U.S. Equal Employment Opportunity Commission will address the legal gray area of employers offering [COVID-19 vaccination incentives](#), after lawmakers and employer groups requested the workplace civil rights agency weigh in.
- President Joe Biden's administration is allocating \$1.7 billion in funding to track the spread of Covid-19 variants, which are proving dangerous [as they spread quickly](#) and risk dragging out the pandemic.
- Pfizer Inc. Chief Executive Albert Bourla [said](#) it is likely that people who receive COVID-19 vaccines will need booster shots within a year afterward, and then annual vaccinations, to maintain protection against the virus as it evolves.
- After consistently rising for weeks, the number of communities in Massachusetts at the highest risk for COVID-19 transmission has decreased. This week, 59 communities are in the red zone, compared to 77 [last week](#), according to [state data](#).

- New Hampshire will lift its [mask mandate](#) on April 16, 2021, though individual communities and businesses will be allowed to continue to impose restrictions, Governor Chris Sununu said on April 15, 2021.

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.

- Auto Insurers Lead 2020 U.S. Property/Casualty Impairments, [AM Best](#) defined impairments as situations in which a company has been placed, via court order, into conservation, rehabilitation or insolvent liquidation. Supervisory actions undertaken by state insurance department regulators without court order are not considered impairments, unless delays or limitations were placed on policyholder payments.

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 economic toll from [the COVID-19 pandemic](#) has been tough to measure, but new estimates from the Federal Reserve suggest it wasn't as bad as feared for smaller businesses.
 - The pandemic resulted in the permanent closure of roughly 200,000 U.S. establishments above historical levels during the first year of the viral outbreak, [according to a study](#) released by economists at the Federal Reserve. In recent years, about 600,000 establishments have permanently closed per year, or about 8.5%, according to the study.
- [Massachusetts regulators](#) on April 16, 2021, sought the revocation of Robinhood's broker-dealer license after charging that it encourages inexperienced investors to place risky trades without limits, while the online brokerage sued to invalidate a new rule underlying the case.
 - Massachusetts Secretary of State Bill Galvin sought the revocation in a revised administrative case announced shortly after Robinhood sued in state court in Boston to challenge a fiduciary standard of conduct his office adopted last year.
- Massachusetts remains in Phase IV, Step 1. 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.

- On April 15, 2021, the Massachusetts Supreme Judicial Court issued the [Sixth Updated Order Regarding Court Operations Under the Exigent Circumstances Created by the COVID-19 \(coronavirus\) Pandemic](#) (issued April 15, 2021, effective May 1, 2021).
 - The Order repeals and replaces the Fifth Updated Order Regarding Court Operations Under the Exigent Circumstances Created by the COVID-19 Pandemic.
- On April 16, 2021, the Chief Court Administrator of the Connecticut Judicial Branch released a [statement](#) discussing the comprehensive safety inspections.
- The State of Connecticut Judicial Branch has advised that Jurors scheduled to appear in a Connecticut courthouse from now until May 31, 2021, should not report. Their jury service has been cancelled.
- Public hours at Maine courthouses will continued to be reduced in response to the ongoing COVID-19 public health emergency. Unless a court is closed due to inclement weather, [remote proceedings](#) will continue as scheduled. See the [Maine Courts Response to COVID-19](#) for more information.
- 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 current guidance on [COVID-19 Eviction Information / Reliance on CDC Federal Moratorium through 06.30.2021](#)