

## **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., [349 million vaccine doses](#) have been administered. In the last week, an average of 699,261 vaccine doses per day were administered.
- The [Biden administration](#) announced additional actions to get students ages 12 and above vaccinated.
  - The efforts include: incorporating the COVID-19 vaccination into sports physicals for student athletes this fall and summer, sending pediatricians to back to school nights to get communities vaccinated, providing schools with resources to host pop-up vaccine clinics, and launching the back to school “Week of Action” with partners nationwide to get young people vaccinated.
- [President Biden](#) announced that the U.S. has donated and shipped more than 110 million doses of its COVID-19 vaccines to more than 60 countries, making the U.S. the global leader in COVID-19 vaccination donations.
- The [CDC](#) announced it will extend the federal eviction moratorium through October 3, 2021 after the ban lapsed over the weekend. The ban covers counties “experiencing substantial and high levels of community transmission” which will cover an estimated 90% of renters.
- A new [survey](#) found 81.1% of respondents in Massachusetts would support COVID-19 vaccination mandates.
- The [FDA](#) announced it has accelerated its timetable to fully approve Pfizer-BioNTech’s COVID-19 vaccine, aiming to complete the process by next month.
- [Dr. Rochelle Walensky](#), head of the CDC, emphasized that breakthrough infections of fully vaccinated individuals is expected, though the “big highway of transmission” is through unvaccinated individuals.

- [Tedrod Adhanom Ghebreyesus](#), Director General of the World Health Organization, called for a moratorium on COVID-19 booster shots until more people around the world can get their first dose.
- One-third of all U.S. COVID-19 cases reported in the last week were in just two states – [Florida and Texas](#). Additionally, the seven states with the lowest vaccination rates represent just 8.5% of the U.S. population but account for more than 17% of cases nationwide.
- 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.
  - In light of increasing case numbers and CDC guidance, three of [Boston’s](#) biggest art museums, the Museum of Fine Arts, the Isabella Stewart Gardner Museum, and the Institute of Contemporary Art, and the New England Aquarium announced they will require face coverings for all visitors.
- [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 prek-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.
- 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.

- [Consumer Watchdog](#) analysis found that California auto insurance companies continued to charge pre-pandemic rates to the state's drivers.
  - The analysis concluded that insurers inadequately reduced rates accordingly with decreased accident claims, resulting in carriers overcharging California motorists by about \$5.5 billion last year.
- [Michael Neirdoff](#), CEO of Centene, a major health insurer told securities analysts recently in a conference call that he believes the U.S. is facing a “pandemic of the unvaccinated.”

## **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](#) announced its 2021 National Small Business Week Virtual Summit for September 13-15, 2021. The events will spotlight the resilience of America's entrepreneurs and the renewal of the small business economy as they build back from economic crisis.
- The [SBA](#) announced the availability of \$150,000 for a new grant opportunity for established and aspiring Women's Business Center host organizations to provide outcome-orientated business services for women entrepreneurs in Tulsa, Oklahoma and Rochester, New York.
- [The Treasury Department and the IRS](#) issued employee retention credit, including guidance for employers who pay qualified wages after June 30, 2021, and before January 1, 2022, and additional guidance on miscellaneous issues that apply to the employee retention credit in both 2020 and 2021.
- The [IRS](#) Security Summit partners outlined for tax professionals how they can assist clients who were victims of unemployment compensation fraud schemes that targeted state workforce agencies in 2020 and 2021.
- 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 July 1, 2021, individuals who are fully vaccinated are not required to wear face masks in [Maine](#) Judicial Branch facilities. Any individual who is not vaccinated must wear an approved face mask.
- 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>