

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., [434 million vaccine doses](#) have been administered. In the last week, an average of 1.51 million vaccine doses per day were administered.
- The [Biden administration](#) announced \$785 million in American Rescue Plan funding to support community-based organizations building vaccine confidence across communities of color, rural areas, and low-income areas.
 - The investment is directly responsive to the recommendations of the COVID-19 Health Equity Task Force which delivered its final report to the White House Office of COVID-19 Response.
- [Congress](#) passed the Bipartisan Infrastructure Deal which will rebuild America's roads and bridges, expand access to clean drinking water and access to high speed internet, and strengthen supply chains.
 - [President Biden's](#) Bipartisan Infrastructure Deal will include an unprecedented \$17 billion to improve infrastructure at coastal ports, inland ports, and waterways to improve supply chain resiliency that have been strained due to the COVID-19 pandemic.
- A new surge of [COVID-19 cases](#) is expected to start hitting the United States around Thanksgiving just as the holiday season begins.
 - Professor Monica Wang, an associate professor of community health sciences at Boston University, does not expect the spike will be as bad as last winter with the availability of vaccines.
- The [U.S. Food and Drug Administration](#) announced a recall of about 2 million at-home COVID-19 test kits made by the Australian based biotech company Ellume.

- The FDA said the test kits may produce false positives due to a manufacturing defect.
- The [Biden administration](#) encouraged local school districts to provide COVID-19 vaccinations to kids and information to parents on the benefits of the shots.
 - Nearly [1 million children](#) ages 5 to 11 have received the COVID-19 vaccine, representing about 3% of children who are eligible for the COVID-19 vaccine.
- A [coalition of 10 states](#) sued the federal government to try to block a COVID-19 vaccine requirement for healthcare workers. The lawsuit contends that the vaccine requirement threatens the jobs of millions of healthcare workers and could exacerbate a shortage in the healthcare field.
 - The suit follows similar ones challenging the Biden administration’s rule that will require federal contractors to ensure their employees are vaccinated and that businesses with more than 100 employees require their workers get vaccinated.
- [Pfizer BioNTech](#) asked federal regulators to authorize their COVID-19 vaccine booster shot for those 18 and older, a move that would likely make every adult in America eligible for a booster dose.
- A [federal judge](#) ruled that Texas’ ban on mask mandates in schools violates the American with Disabilities Act according to documents filed in U.S. District Court for the Western District of Texas.
- 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.
 - [Boston’s](#) mask mandate for indoor public settings took effect on August 27, 2021.
 - The new mandate does include exemptions for places of worship including churches, temples, and synagogues.
- [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 [Mills administration](#) announced that the state of Maine will follow CDC updated face covering guidelines. All counties have high 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.

- According to a [report](#) from the American Property and Casualty Insurance Association and data analytics company Verisk, property and casualty insurers saw their net income jump to \$37.5 billion in the first half of 2021 as the country continues to recover from COVID-19’s economic disruption.

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 the addition of five new Regional Innovation Clusters (RIC) to the portfolio of communities the agency supports through the program.
 - RICs are geographically concentrated networking hubs of small businesses, suppliers, service providers, and related institutions that work together to maximize resources, compete on larger scales, and drive job creation.
- The [IRS](#) created a special Advance Child Tax Credit Payments page designed to provide the most up to date information about the tax credit and advance payments.
- The [IRS](#) announced the tax year 2022 annual inflation adjustments for more than 60 tax provisions, including the tax rate schedules and other tax changes.

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 and Eviction proceedings:
 - Connecticut
<https://portal.ct.gov/Coronavirus/Covid-19-Knowledge-Base/Rent-and-Eviction>
 - Rhode Island
<https://www.courts.ri.gov/Courts/districtcourt/PDF/21-07.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>