

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., [328 million vaccine doses have](#) been administered. In the last week, an average of 1.12 million vaccine doses per day were administered.
- The [Biden administration](#) announced the Bipartisan Infrastructure Framework to address disparities in our economy and the consequences of decades of disinvestment in America's infrastructure that have fallen on communities of color.
 - President Biden announced a whole-of-government effort to increase the share of federal contracts going to small disadvantaged businesses by 50% over the next five years.
- [Johnson & Johnson](#) reported that their vaccine is effective against the highly contagious Delta variant, even eight months after inoculation, a finding that should reassure the 11 million Americans who have received the shot.
 - The vaccine showed a small drop in potency against the variant, compared with effectiveness to the original virus. But the vaccine is more effective against the Delta variant than the Beta variant (first identified in South Africa) a pattern also seen in mRNA vaccines.
- [CDC](#) director Dr. Michelle Walensky stated individuals are safe from the Delta variant if they are vaccinated. Dr. Walensky provided guidance to the public after the WHO recommended everyone – including fully vaccinated individuals – wear masks.
 - The WHO is providing guidelines and information for the world when across the globe less than 15% of people have been vaccinated and most have only received one dose.
- [Dr. Scott Gottlieb](#), former Commissioner of the U.S. Food and Drug Administration, said outbreaks of infections due to the Delta variant will be hyper-regionalized. Pockets of the country will have dense outbreaks especially those with low vaccination rates.

- According to the CDC, 41.6% of the total U.S. population has been vaccinated against COVID-19. Alabama, Arkansas, Louisiana, Mississippi, and Wyoming are among the states with the lowest vaccination rates with less than 35% of their population fully vaccinated.
- Banning all fans from the [Tokyo Olympics](#) is still an option with the games opening in just three weeks according to Seiko Hashimoto, President of the Tokyo organizing committee.
- Researchers at [Harvard and MIT](#) developed a mask that can detect if an individual has COVID-19. Individuals can breathe into the mask for 15-30 minutes, push a button to activate a sensor, and within two hours' individuals will have a positive or negative COVID-19 result.
- 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.
- [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 Join 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.
- 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.

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 [Gary Pearce](#), Chief Risk Architect with Aclaimant, the U.S. will have remnants of laws and regulations at the national, state, and local levels that were prompted by the COVID-19 pandemic.
 - Some of these laws and regulations will remain in place for years to come, whether due to inertia, concern about the next pandemic, a beneficial “spill-over” effect, or because such rules advance political objectives.

- COVID-19 related risk management isn't going away. It is incumbent upon the employer to do what is right and necessary even when action isn't required under applicable laws and regulations to avoid workers' compensation litigation.

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](#) awarded over \$258,000 in funding to Humboldt State University to provide training and counseling as a Veterans Business Outreach Center (VBOC) serving veteran small business owners in Northern California.
- The [SBA](#) announced the extended application date for its new Community Navigator Pilot Program. The SBA will accept proposal submissions through July 23, 2021 and anticipates making award decisions by September 2021.
- The [IRS](#) upgraded a key online tool to enable families to quickly and easily update their bank account information so they can receive their monthly Child Tax Credit Payment.
- The [IRS](#) extended the tax relief provided in Notice-2020-46 for calendar year 2021 for employers whose employees forgo sick, vacation or personal leave because of the COVID-19 pandemic.
- 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.

- 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>