

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., [383 million vaccine doses](#) have been administered. In the last week, an average of 781,574 vaccine doses per day were administered.
- The [Biden administration](#) announced a whole-of-government effort to boost enrollment in the Child Tax Credit (CTC).
 - The effort includes training thousands of people to serve as Child Tax Credit navigators, launching a new partnership with Head Start to provide direct sign-up assistance in 16 cities, conducting a five-week national marketing campaign to reach low-income families, and promoting the Child Tax Credit in back to school efforts.
- The [FDA](#) federal advisory panel rejected a plan to offer Pfizer-BioNTech booster shots against COVID-19 to most Americans. The panel voice frustration that Pfizer had provided little data on the safety of extra doses.
- Experts predict [COVID-19 vaccines](#) for children ages 5-11 could be available as soon as the end of October. Getting the green light for younger children will require careful and expeditious review of the clinical data.
- Several states in the [Northeast](#) are leading the country in COVID-19 vaccination rates. According to data released by the CDC, over two-thirds of the populations in Massachusetts, Vermont, and Connecticut have been vaccinated. These states are also seeing the lowest rates of new cases per capita.
- New Hampshire Governor [Chris Sununu](#) will join other states in challenging the Biden administration's new vaccine mandate in court.
 - [Governor Sununu](#) joins 24 state attorneys general looking to take legal action against the Biden administration's new federal vaccine mandate.
- [Idaho](#), and several other states, have expanded health care rationing statewide amid a spike in the number of unvaccinated COVID-19 patients requiring hospitalizations.

- Governor [Charlie Baker](#) announced that the Massachusetts is currently working through how to potentially create a “more universal” system for showing COVID-19 vaccination proof.
- The [online market](#) for fake COVID-19 vaccination cards is booming. Thousands of online sellers are claiming to offer near-perfect copies of the cards.
 - The [FBI](#) warned in March that buying, creating, or selling fake vaccination cards is illegal and the agency has made at least one high-profile arrest of a Chicago pharmacist who was allegedly selling fake vaccination cards on eBay.
- The U.S. [Citizenship and Immigration Services](#) announced that effective October 1, 2021, applicants subject to the immigration medical examination must be fully vaccinated against COVID-19 before the civil surgeon can complete an exam and sign the required Form I-693.
- 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, though acting Mayor Kim Janey’s administration strongly urges faith communities to wear masks indoors.
- [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. York and Piscataquis counties have “substantial” levels of community transmission at this time.
 - The [Mills administration](#) announced that it will begin enforcement of its COVID-19 vaccination requirement for health care workers on October 29, 2021, providing an additional month for healthcare works to complete their vaccination protocol.

- 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.

- In the week ending September 25, 2021, the [CDC](#) predicts that the total number of weekly COVID-19 deaths could increase to more than 11,000, up 56% from the period ending September 1, 2021. COVID-19 mortality rates most recently peaked in April 2020 at around 15,000 deaths per week.
- U.S. [commercial insurance prices](#) increased again during the second quarter of 2021, according to global advisory, broking and solutions company Willis Tower Watson's Commercial Lines Insurance Pricing Survey.

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 84 winners for the Growth Accelerator Fund Competition and eight winners for the Small Business Innovation Research Catalyst competition, a new component aimed at spurring investment in underrepresented communities within the innovation economy.
- The [SBA](#) announced that Jennifer Lopez will headline this year's National Small Business Week.
- The [IRS](#) announced that the third batch of advance monthly payments of the Child Tax Credit, totaling about \$15 billion were sent out reaching about 35 million families.
- The [IRS](#) reminded business owners that it is critical to correctly determine whether individuals providing services are employees or independent contractors for tax purposes.
- 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 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 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>