

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., [372 million vaccine doses](#) have been administered. In the last week, an average of 910,432 vaccine doses per day were administered.
- The [Biden administration](#) announced steps to increase affordable housing supply. The plans include boosting the supply of quality housing, affordable rental units, boosting the supply of manufactured housing, and working with state and local governments to boost housing supply.
- [Dr. Anthony Fauci](#) cited two Israeli based studies that showed a decrease in infections among people who got a third dose or booster vaccine dose. Dr. Fauci stated there is good reason to believe a third dose is durable and that the U.S. will likely have a three-dose regimen becoming routine.
- The [WHO](#) is monitoring a new COVID-19 variant called Mu and has added it to the list of variants of interest because of preliminary evidence it can evade antibodies.
- [Child COVID-19 cases](#) are up as the school year starts for districts across the U.S. Children accounted for 22.4% of reported weekly cases according to the American Academy of Pediatrics
- [States](#) that saw some of the country's worst COVID-19 case rates over the past week have also reported the highest number of new vaccinations per capita according to data published by the CDC.
 - For example, Tennessee, which reported the country's worst COVID-19 case rate, had the sixth best rate of new vaccinations per capita in the U.S. over the past week.
- The [CDC](#) recommends individuals who are not vaccinated not to travel this Labor Day Weekend.
- Entrants in the [Boston Marathon](#) this fall will need to provide proof of COVID-19 vaccination or produce a negative test in order to participate in the race set for October 11, 2021.

- [The U.S. Education Department](#) initiated investigations into five states whose prohibitions on universal mask mandates in schools may run afoul of civil rights laws protecting students with disabilities, federal officials announced.
 - The department’s civil rights head wrote to state education leaders in Iowa, Oklahoma, South Carolina, Tennessee, and Utah notifying them that the office would determine whether the prohibitions are restricting access for students who are protected under federal law from discrimination based on their disabilities.
- 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 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.
 - 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 workers 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.

- [Society Insurance, Inc.](#), a Wisconsin insurer, had 17 separate COVID-19 business interruption suits against it dismissed by a Chicago judge.
 - Similar to other COVID-19 business interruption cases, this one went against policyholders. In this case, the judge said that the plaintiffs failed to establish the direct physical loss required by the coverage.
- [Paramount Pictures](#) sued Federal Insurance Co., part of Chubb Ltd., over the denial of insurance coverage for losses Paramount claims it suffered due to delays and other interruptions during the filming of Mission: Impossible 7 amid the pandemic.

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 27 organizations across the United States a total of \$5.2 million under the Program in Micro-Entrepreneurs (PRIME) grant awards.
- The [SBA's National Small Business Week Virtual Summit](#) event schedule is set for September 13-15, 2021 honoring the nation's 31 million small businesses for their perseverance, ingenuity, triumphs, and creativity.
- The [IRS](#) announced that victims of Hurricane Ida have until January 3, 2022 to file various individual and business tax returns and make tax payments.
- September is National Preparedness Month. The [IRS](#) announced reminders to everyone to develop emergency preparedness plans which should include securing and duplicating essential tax and financial documents, and creating lists of property and knowing where to find information once a disaster has occurred.
- 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>