

## **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.

- Johnson & Johnson's coronavirus vaccine is being vetted by a panel of outside advisers to the U.S. Food and Drug Administration, one of the final steps [toward potential authorization](#) of the country's first one-dose immunization against Covid-19. If the panel votes that the vaccine's benefits outweigh its risks, the agency could grant emergency clearance within days, providing a needed boost to U.S. vaccine supplies.
- Laid-off workers who refused to return to a job they considered unsafe during the pandemic should have an easier time [getting federally funded jobless benefits](#), under new guidance from the U.S. Labor Department.
- The House Budget Committee [approved](#) legislation for a \$1.9 trillion coronavirus relief package.
- As the Massachusetts vaccine rollout lurches forward and local COVID-19 rates continue to decline, Governor Charlie Baker announced on February 25, 2021, that the state will move into the final phase of his administration's reopening plan next month "as long as the public health data continues to get better."
  - The Baker administration announced that the state will be moving back into Step 2 of Phase 3 of its COVID reopening plan beginning on Monday as [COVID-19](#) metrics continue to trend in a positive direction.
  - He announced plans to move to the first step of Phase 4 of the reopening plan on March 22, 2021, allowing large venues that can host over 5,000 people — including Fenway Park, Gillette Stadium, and TD Garden — to reopen with a 12 percent capacity limit.
- On February 23, 2021, the House Committee on Energy and Commerce Subcommittee on Oversight and Investigations held a hearing on "Pathway to Protection: Expanding Availability of COVID-19 Vaccines," officials from Pfizer and Moderna, [said](#) they will

deliver at least 135 million more doses of COVID-19 vaccines to the US over the next five weeks.

- National Institutes of Health official Dr. Anthony Fauci says the Centers for Disease Control and Prevention could soon [relax](#) safety recommendations for people who have been fully vaccinated against COVID-19.
- The U.S. Department of Education said states will need to [administer](#) annual standardized exams to students this spring, but they can modify or delay the tests.

### **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.

- The Workers' compensation insurers are not getting the [large aggregate volumes](#) of COVID-related claims projected during the early months of the pandemic, but different data sources give varying readouts on developments for individual U.S. states and classes of workers.

In fact, while claim frequencies are down for workers' compensation overall with business shutdowns bringing lower numbers of non-COVID claims, and while the bulk of COVID comp claims are short-duration, low-dollar claims, some insurers have paid out claims that were \$2 million or more for health care workers infected on the job.

### **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 government and economic players continue to debate the risk of excessive inflation from a likely-forthcoming federal COVID-19 stimulus package. Federal Chairman Jerome Powell [told](#) the Senate Banking Committee Tuesday that rampant inflation is “not a problem” to fear.
- On February 23, 2021, IRS Commissioner Charles Rettig told the House Appropriations Committee's financial services and general government subcommittee that the agency has no plans to [extend](#) the tax-filing deadline due to the pandemic.

### **LITIGATION/CIVIL JUSTICE SYSTEM UPDATES AND ORDERS:**

Below we, highlight additional judicial orders and trends related to the COVID-19 pandemic.

- On February 25, 2021, the Massachusetts Trial Court has posted a schedule for access to jury pools for Phase 2 of the resumption of six-person jury trials. A list of court locations and dates courts that will have access to jury pools, indicating priority among Trial Court departments, can be found [here](#).

- On February 24, 2021, the Supreme Judicial Court of Massachusetts issued an updated order regarding the operation of Massachusetts state courts and courthouses during the ongoing COVID-19 pandemic. [Supreme Judicial Court fifth updated order regarding court operations under the exigent circumstances created by the COVID-19 \(coronavirus\) pandemic](#) (issued February 24, 2021, effective March 1, 2021).
- On February 18, 2021, the State of New Hampshire Supreme Court issued the following orders governing proceedings in each Court:
  - [2-18-21 Sixteenth Renewed and Amended Emergency Order Governing Supreme Court Proceedings](#)
  - [2-18-21 Sixteenth Renewed and Amended Order Suspending In-Person Court Proceedings Relating to Superior Court](#)
  - [2-18-21 Sixteenth Renewed and Amended Order Suspending In-Person Court Proceedings Relating to Circuit Court](#)
- On February 25, 2021, the State of Connecticut Judicial Branch issued a [Notice](#) of resumption of mediation in cases in the Foreclosure Mediation Program.
- On February 25, 2021, the State of Connecticut Judicial Branch issued a [Notice](#) of Removal of Suspension of Requirements and Deadlines in Non-Criminal Matters.
- The State of Connecticut Judicial Branch has advised that beginning on March 1, 2021, Appellate Court oral arguments will be livestreamed on the [Appellate Court's YouTube channel](#).
- On February 24, 2021, the State of Connecticut Judicial Branch issued a [Notice of Correction to Practice Book, Appendix of Section 1-9B Changes, Section E2-71](#).