

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., [411 million vaccine doses](#) have been administered. In the last week, an average of 834,431 vaccine doses per day were administered.
- The [Biden administration](#) announced a plan if the COVID-19 vaccine is authorized for children ages 5-11.
 - The plan includes securing vaccine supply for our nation's children, making vaccinations available at more than 25,000 pediatric offices, and launching a partnership with the Children's Hospital Association to work with over 100 children's hospital systems to set up vaccination sites.
- [Pfizer-BioNTech](#) announced that their data supports authorization of their COVID-19 vaccine in kids ages 5-11. In the main clinical trial, the vaccine appeared to be more than 90% effective against symptomatic COVID-19.
- [President Biden](#) botched the numbers behind the COVID-19 vaccine rollout. According to the Associated Press the president stretched to take all the credit for the surge of shots once he was in office.
- The [Food and Drug Administration](#) authorized COVID-19 booster shots for recipients of the Moderna and Johnson & Johnson vaccine.
 - The agency also updated its authorizations for all three vaccines to allow medical providers to deliver booster doses with a different COVID-19 vaccine than the one a patient initially received, a strategy known as mix and match.
- A newly discovered mutation of the [Delta variant](#) is being investigated amid worries it could make the virus more transmissible and undermine COVID-19 vaccines further.
- A [federal judge](#) denied a request by several employees at the largest hospital system in Massachusetts for an injunction to block the company from placing them on unpaid leave for violating the COVID-19 vaccine mandate.

- The judge did not rule on the issue of whether the workers at Mass General Brigham were the victims of discrimination for being denied medical or religious vaccination exemptions.
- Former Secretary of State [Colin Powell](#) died at age 84 from complications of COVID-19. Secretary Powell suffered from multiple myeloma, a cancer of plasma cells that suppress the body's immune response as well as Parkinson's disease.
- The [World Health Organization](#) estimates 115,000 healthcare workers around the globe died from COVID-19 throughout the duration of the pandemic.
- [Governor Charlie Baker's](#) order requiring state workers to get the COVID-19 vaccine expired on October 17, 2021. Members of the State Police Association of Massachusetts and other original trooper's unions gathered outside the State House in Boston to criticize Baker's lack of fundamental fairness.
- 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.
 - Acting Boston Mayor [Kim Janey's](#) office released a list of COVID-19 precautions for trick-or-treaters and others celebrating Halloween this year including distancing, mask wearing, and hand washing.
- [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.

- 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.

- [The Risk Management Society](#) is cashing out a \$7.6 million payout in event cancellation insurance covering the 2020 annual conference and exhibition and NextGen conference. The yearly meeting was cancelled less than two months before its May 3, 2020 kick off and was the first time the association had ever cancelled a gathering.
- The [Occupational Safety and Health Administration](#) will potentially levy fines against an insurance agency for exposing workers to COVID-19, because a healthcare facility in Bloomington, Indiana was cited for failing to protect workers from the virus.

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](#) administrator Isabella Casillas Guzman visited Seattle, Washington this week as part of a national tour highlighting small business recovery and resources available to assist entrepreneurs.
- The [IRS](#) joined international organizations and other regulators in highlighting Charity Fraud Awareness Week. The campaign is run by a partnership of charities, regulators, law enforcers and other not-for-profit stakeholders from across the world.
- The [IRS](#) reminded employers that the next quarterly payroll tax return is due November 1, 2021. The IRS urges employers to use the speed and convenience of filing the returns electronically.
- The [IRS](#) reminded more than 759,000 federal tax return preparers they must renew their Preparer Tax Identification Numbers (PTINs) now for 2022. All current PTINs will expire December 31, 2021

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>