

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., [425 million vaccine doses](#) have been administered. In the last week, an average of 901,367 million vaccine doses per day were administered.
- The [Biden administration](#) announced details of two major vaccination policies:
 - The requirement for employers with 100 or more employees to ensure all of their workers are vaccinated, will also require employers to provide paid-time for employees to get vaccinated and ensure all unvaccinated workers wear a face mask.
 - The Centers for Medicare & Medicaid services announced that the deadline for employers who fall under ETS, CMS or federal contractor rules to receive their final vaccine dose will be January 4, 2022.
 - All unvaccinated workers must start [wearing masks indoors](#) starting December 5, 2021.
- Several [big business groups](#) expressed concern about the Biden administration's COVID-19 vaccine mandate. The National Retail Federation and the Retail Industry Leaders Association stated the mandate would burden their members during the busy holiday shopping season.
- [Pfizer](#) announced that its pill to treat COVID-19 has been found in a key clinical trial to be highly effective in preventing severe illness among at-risk individuals who receive the drug soon after experienced COVID-19 symptoms.
- [Federal health officials](#) gave the final approval to use the Pfizer-BioNTech COVID-19 vaccine in children ages 5 to 11 years old. The recommendation expands vaccine eligibility to about 28 million children in the United States.
- [Moderna](#) announced it will scale back expectations for the number of COVID-19 vaccine deliveries it expects to make this year. Issues including longer delivery lead times for exports and temporary impact from expanding the company's capacity to fill vials may shift some deliveries to early 2022.

- [New unemployment claims](#) have fallen every week for a month straight, down to a pandemic low of 281,000. Surveys show that service sector employers are increasing workforce numbers at the quickest rate since June.
- The global [death toll](#) from COVID-19 topped 5 million, less than two years into the pandemic. The United States, the European Union, Britain, and Brazil account for one-eighth of the world's population and nearly half of all reported deaths.
- [New York City](#) announced it has reached an agreement with at least four unions representing an estimated 75,000 employees to establish rules about how workers can apply for medical or religious exemptions to the city's COVID-19 vaccine mandate.
 - The agreement has eased tensions between city workers and Mayor Bill de Blasio administration's requirement to get vaccinated against COVID-19 or go on unpaid leave.
- 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.
- [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.
- 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 [first jury trial](#) considering a COVID-19 business interruption case, The Cincinnati Insurance Co. Inc. was freed from having to cover the losses of a Kansas City, Missouri restaurant management group that was forced to close at least nine locations as a result of coronavirus stay-at-home orders.
- An Illinois rehabilitation center and Wisconsin trailer sales company were [cited by OSHA](#) for failing to protect workers from COVID-19 hazards.

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.

- SBA Administrator [Isabella Casillas Guzman](#) visited San Antonio, Texas as part of a national tour highlighting economic recovery and President Biden's Build Back Better framework.
- The [SBA](#) announced the agency reached \$44.8 billion in funding to small businesses through more than 61,000 traditional loans for the fiscal year 2021.
- The [IRS](#) recently sent approximately 430,000 refunds totaling more than \$510 million to taxpayers who paid taxes on unemployment compensation excluded for tax year 2020.
- The [IRS](#) announced that the amount individuals can contribute to their 401(k) plans in 2022 has increased to \$20,500.

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>