

# COVID-19 Daily Update

April 10, 2020

## Summary

The reported global death toll from COVID-19 now exceeds 100,000, and more than 1.6 million cases have been confirmed worldwide. The United States has 473,093 confirmed COVID-19 cases and 17,836 reported related deaths. CDC Director Redfield believes the current outbreak in the United States is reaching its peak and that the country will see decline in cases over the next few weeks. White House officials announced that hard-hit areas continue to see evidence of stabilization, including the Greater New York City area, Louisiana, Detroit, and Denver. Surgeon General Adams said on Friday that “most of the country” will not be able to reopen by May 1, when the 30-day period for President Trump’s social distancing guidelines is set to end. The U.S. Postal Service, which relies on the sale of postal products and services to fund its operations, warned that it “will collapse without urgent intervention” due to a “devastating” drop in business. The postal agency expects the pandemic will increase its net operating loss by more than \$22 billion over the next 18 months.

New York Governor Cuomo is “cautiously optimistic” that the infection rate is slowing in the state. The number of new virus patients who are hospitalized each day remains nearly flat. It increased by 2% from Thursday to Friday, after increasing by 1% from Wednesday to Thursday. Two weeks ago, it was growing by more than 20% per day. Governor Cuomo stated that diagnostic testing at an “unprecedented scale” is required before New York can ease social distancing restrictions. Nearly 120 morgue workers and soldiers from the U.S. Army and National Guard are working around the clock to retrieve the bodies of up to 280 people a day who are dying at home in New York City, many of whom have not been counted in the official death toll. Fire Department data show that 1,125 patients were pronounced dead in their homes or on the street in the first five days of April, more than eight times the 131 deaths recorded during the same period last year. New York City hospitals have largely abandoned the practice of ventilator sharing, which uses one machine to support multiple patients.

## General/Employer Guidance

### **Presidential updates**

- [\*Remarks by President Trump, Vice President Pence, and Members of the Coronavirus Task Force in Press Briefing\*](#), April 9
  - President Trump announced that more than two million “highly sophisticated and highly accurate” coronavirus tests have been completed in the United States. Dr. Birx reported that, of those tested, people under 25 had an 11% positivity rate; people

between 25 and 45 had a 17% positivity rate; people between 45 and 65 had a 21% positivity rate; and people between 65 and 85 had a 22% positivity rate.

- The Army Corps of Engineers is building 21 temporary hospitals nationwide, which will increase capacity by 17,000 hospital beds. FDA's treatment acceleration program is currently testing 19 COVID-19 therapies and actively planning for 26 more clinical trials.
- The Department of Defense reports that 4,100 active-duty military medical personnel have been deployed in New York, New Jersey, and Connecticut.
- [\*President Donald J. Trump Approves Major Disaster Declarations\*](#), April 7
  - President Trump declared that a major disaster exists in Idaho and Alaska. He ordered Federal assistance to supplement state, and local recovery efforts in the areas affected by COVID-19. The action makes Federal funding available for crisis counseling for affected individuals in the State, and for other emergency protective measures.
  - President Trump has now issued similar declarations for all states, as well as the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

#### **World Health Organization (WHO)**

- [\*COVID-19 Situation Report – 80\*](#), April 9
  - WHO released [guidance](#) on the role of religious leaders and faith-based communities in COVID-19 education and preparedness. WHO recommends conducting faith-related activities remotely/ virtually; including factual public health information in sermons and messages; and ensuring the safe performance of ceremonies and rituals, for example, by preventing people from touching devotional objects that the community traditionally handles communally.
  - WHO developed a mass gathering risk assessment tool available [here](#), and an accompanying decision tree available [here](#).
- [\*Advice on the use of point-of-care immunodiagnostic tests for COVID-19\*](#), April 8
  - WHO recommends the use of new point-of-care immunodiagnostic tests only in research settings. The tests should not be used in any other setting, including for clinical decision-making, until evidence supporting use for specific indications is available.
    - Rapid diagnostic tests based on antigen detection: Some rapid diagnostic tests detect the presence of COVID-19 antigens in a sample from the respiratory tract. The test's accuracy varies significantly based on the time from onset of illness, the concentration of virus in the specimen, the quality of the specimen collected from a person and how it is processed, and the precise formulation of the reagents in the test kits. WHO does not recommend the use of antigen-detecting rapid diagnostic tests for patient care, although research into their performance and potential diagnostic utility is highly encouraged.
    - Rapid diagnostic tests based on host antibody detection: Some rapid diagnostic tests detect the presence of antibodies in the blood of people believed to have been infected with COVID-19. The strength of antibody response depends on several factors, including age, nutritional status, severity of disease, and certain

medications or infections like HIV that suppress the immune system. In some people with COVID-19, weak, late or absent antibody responses have been reported. WHO does not recommend the use of antibody-detecting rapid diagnostic tests for patient care but encourages the continuation of work to establish their usefulness in disease surveillance and epidemiologic research.

### **U.S. Centers for Disease Control and Prevention (CDC)**

- [\*CDC Director: 'Very Aggressive' Contact Tracing Needed For U.S. To Return To Normal\*](#), April 10
  - CDC is working on a plan to allow the United States to safely begin to scale back social distancing policies. CDC's plan relies on ramped up testing, "very aggressive" contact tracing of those who test positive for COVID-19, and a major scale-up of personnel to do the necessary work.
  - CDC is increasing America's capacity to engage in contract tracing. Contact tracing is the process of finding and reaching out to the contacts of someone who tests positive for an infectious pathogen. Those contacts are then quarantined or monitored, and if any of them are also positive, the process is repeated with their contacts until the chain of transmission is halted.
  
- [\*CDC Announces Modifications and Extension of No Sail Order for All Cruise Ships\*](#), April 9
  - CDC announced the extension of a [No Sail Order](#) for all cruise ships.
  - The order ceases cruise ship operation in waters in which the United States exerts jurisdiction. Cruise ship operators must develop a comprehensive operational plan approved by CDC and the Coast Guard to address COVID-19. Operators are not allowed to disembark travelers (passengers or crew) at ports or stations, except as directed by the Coast Guard, in consultation with CDC personnel.
  - The order remains effective until the earliest of: (1) the expiration of the Secretary of Health and Human Services' declaration that COVID-19 constitutes a public health emergency; (2) the CDC Director rescinds or modifies the order based on specific public health or other considerations; or (3) 100 days from the date of publication in the Federal Register.

### **New York State**

- [\*New York's death toll is staggering, but governor says there are reasons to be optimistic\*](#), April 10
  - Governor Cuomo announced that 777 more people have died, bringing the state total to 7,844 reported COVID-19 deaths.
  - Fewer COVID-19 patients were in intensive care units on Friday than on Thursday – the first time the figure has fallen since the outbreak began. The total number of COVID-19 ICU patients dropped from 4,925 to 4,908. A week ago, the number was growing by more than 300 people per day.
  - The number of virus patients who are hospitalized remains nearly flat. It increased by 2% from Thursday to Friday, after increasing by 1% from Wednesday to Thursday. Two weeks ago, it was growing by more than 20% per day.
  - Governor Cuomo stated that diagnostic testing at an "unprecedented scale" is required before New York can ease social distancing restrictions. Cuomo warned that the State

is not able to produce the required number of tests, and urged the President to use the Defense Production Act to require companies to mass produce tests.

- [COVID-19: FAQ for Residential and Commercial Buildings](#), April 9
  - The New York City Department of Health (NYCDOH) updated its COVID-19 FAQ for residential and commercial building owners and managers.
  - NYCDOH recommends that staff should wash their hands with soap and water for at least 20 seconds, upon entering and leaving the building – and especially after cleaning. Managers should consider closing or limiting access to common areas, such as game rooms, playrooms and lounges. Building occupants should maintain physical distancing when getting packages or mail, and when entering or exiting the building.
  
- [COVID-19: General Guidance for Vehicle Operators](#), April 9
  - NYCDOH issued guidance on precautions for vehicle operators to help slow the transmission of COVID-19.
  - Drivers should ask passengers to sit in the back to create physical distance. If the vehicle has a partition, close the partition before picking up passengers. Drivers may only transport riders who are in the same party. Group “shared” or “pooled” rides are not permitted. Whenever possible, drivers should set ventilation to “non-recirculated air mode” in both the driver and passenger compartment; the driver may open the windows if this is not an option.
  - NYCDOH recommends that drivers wear a well secured cloth or paper face covering when they cannot maintain at least six feet of distance with others. Vehicle operators should closely monitor their health for COVID-19 symptoms and should stay home if sick.
  
- [Governor Announces Five New COVID-19 Testing Facilities in Minority Communities](#), April 9
  - Governor Cuomo announced the opening of five new downstate testing facilities, primarily in minority communities. These include two drive-through mobile testing facilities in Brooklyn and Queens, and three walk-in facilities at health care centers in the South Bronx, Queens, and Brooklyn.
  - New Yorkers who have recovered from COVID-19 are encouraged to [donate](#) blood, for the collection of convalescent plasma. Convalescent plasma contains antibodies against the virus and can help with the development of COVID-19 treatments.
  - Governor Cuomo issued an Executive Order to bring additional funeral directors to New York to assist with the high number of COVID-19 related deaths.
  - As of Friday, April 10, it has been 40 days since the first reported COVID-19 case in New York and 81 days since the first reported COVID-19 case in the United States.

## **New York City**

- [Mayor de Blasio Holds Media Availability on COVID-19](#), April 9
  - Mayor de Blasio acknowledged that most residents are following social distancing guidelines, but urged anyone who sees people crowding to report it by calling 311. The Mayor believes that decreased hospitalization rates and ventilator use are signs that social distancing measures are working.

- De Blasio stated that restrictions may be lifted at some point in May or June, but stressed that the status quo will not change until all three of the following metrics “move in unison in the same direction” for a prolonged period of time: the number people admitted to hospitals for COVID-19; the number of people admitted to the ICU for suspected COVID-19; and the percentage of people who test positive for COVID-19.

### **Other Related Updates**

- [\*New federal projections show a spike in infections if shelter in place orders are lifted\*](#), April 10
  - New federal models indicate that lifting stay-at-home orders after just 30 days will lead to a dramatic spike in COVID-19 infections.
  - The models project that, without any mitigation measures the COVID-19 death toll could have reached 300,000. If the 30-day stay-at-home orders are lifted, even if schools remain closed until summer, 25% of the country continues to work from home and some social distancing continues, the death total is estimated to reach 200,000.
- [\*HHS to Begin Delivery of Initial \\$30 Billion of CARES Act Provider Relief Funding\*](#), April 10
  - The Department of Health and Human Services (HHS) has begun delivering an initial \$30 billion in relief funds as part of the \$100 billion of health care provider relief designated in the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The funding will be used to support health care expenses or lost revenue attributable to COVID-19, and to reimburse facilities for the care of uninsured Americans.
  - Providers will be paid via Automated Clearing House account information on file with UnitedHealth Group, UnitedHealthcare, or Optum Bank. Within 30 days of receiving the payment, providers must sign an attestation confirming receipt of the funds and agreeing to the terms and conditions of payment.
- [\*FDA COVID-19 Update: Daily Roundup\*](#), April 9
  - FDA issued a [temporary policy](#) to expand the availability of portable cryogenic oxygen and nitrogen containers during the COVID-19 pandemic. FDA does not intend to take enforcement action against firms that do not comply with certain regulatory requirements, provided that alternative, specific safeguards are in place to prevent gas mix-ups.
  - FDA announced [best practices](#) for retail food stores, restaurants, and pick-up and delivery services during the pandemic to protect both workers and customers. FDA advises on how foods offered at retail chains can be prepared safely and delivered to the public, as well as best practices for employee health and personal hygiene, cleaning and sanitizing.
  - FDA updated the [safety protections](#) used in fecal microbiota transplantation due to the risk of transmission of SARS-Cov-2. Stool donor screening must include an assessment of whether the donor was diagnosed or exposed to COVID-19. FDA recommends the testing of the stool donation or stool donor for SARS-CoV-2 virus or RNA. Providers must inform the FMT recipient of the risk that that healthy, asymptomatic stool donors may potentially be infected with SARS-CoV-2.

- FDA and Federal Trade Commission (FTC) issued a [warning letter](#) to one company, Free Speech Systems LLC, DBA Infowars.com, for selling unapproved and misbranded products for the prevention or treatment of COVID-19.
- [\*OCR Announces Notification of Enforcement Discretion for Community-Based Testing Sites During Pandemic\*](#), April 9
  - The Office for Civil Rights (OCR) at the Department of Health and Human Services (HHS) announced that it will exercise its enforcement discretion and will not impose penalties for violations of HIPAA Rules against covered entities in connection with the good faith participation in the operation of COVID-19 testing sites.
  - The policy was issued to support covered health care providers, including large pharmacy chains, that may choose to participate in the operation of a Community Based-Testing Site (CBTS), which includes mobile, drive-through, or walk-up sites that provide only COVID-19 specimen collection or testing services to the public.

Other recent events covered in detail elsewhere:

- [Federal Reserve Issues Guidance on new “Main Street Lending Program”](#), April 9
- [FEMA to Impose COVID-19-Related Export Restrictions on Medical Equipment](#), April 9
- [Partnerships Are Now Allowed to File Amended Income Tax Returns for 2018 and 2019, Immediately — to Benefit from CARES Act, Without Delay](#), April 8
- [COVID-19 & Executive Compensation – Considerations for Public Companies](#), April 8
- [COVID-19 Disruptions of International Clinical Trials: Comparing Guidance Issued by Key European National Regulatory Authorities, the Australian Department of Health, Brazil’s ANVISA, Health Canada and Singapore’s HAS](#), April 8
- [CARES Act Oversight: False Claims Act Risk under the CARES Act for Health Care Providers](#), April 8
- [Elevated Bribery and Fraud Risks in Latin America in the Wake of COVID-19](#), April 8

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