

COVID-19 Daily Update

April 12, 2020

Summary

The United States has 547,681 confirmed COVID-19 cases and 21,962 reported related deaths, surpassing Italy's death toll. FDA Commissioner Hahn noted that we are "very close to the peak" of the outbreak. Dr. Fauci stated that reopening the country is not an "all or none" proposition; restrictions must be lifted in a gradual manner to prevent a resurgence of COVID-19 cases. Models show that if all social-distancing measures at once were lifted nationally, a pandemic rebound could occur sometime in July.

China's health ministry reported a jump in new coronavirus infections, most of which were reportedly detected in people returning from other countries. British Prime Minister Boris Johnson, who spent time in intensive care due to COVID-19, was released from the hospital on Sunday. The current demand for oil is now 35% lower than before the pandemic. The vast majority of churches celebrated Easter virtually, while a handful of pastors in states including Louisiana and Mississippi defied stay-at-home guidance and hosted in-person worship services.

The number of new hospitalizations and intubations continues to fall in New York State, but the death toll remains steady. The State reported 783 deaths on Saturday and an additional 758 on Sunday. Mayor de Blasio announced on Saturday that City schools would suspend in-person classes for the remainder of the school year. Governor Cuomo disagreed with the Mayor's decision and insisted that the Mayor does not have the legal authority to extend school closures. Cuomo urged that the reopening schools, businesses, and transportation should be coordinated with the rest of the State and, ideally, with New Jersey and Connecticut. Cuomo did not indicate when he would make a further decision on statewide school closures.

General/Employer Guidance

Presidential updates

- [*Remarks by President Trump, Vice President Pence, and Members of the Coronavirus Task Force in Press Briefing*](#), April 10
 - President Trump plans to appoint a council of doctors and business leaders to advise on how to ease social distancing restrictions. Further announcements will be made on Tuesday, April 14.
 - President Trump believes that the death toll will be "substantially less" than the previously projected 100,000 to 240,000. New projections by the Institute for Health Metrics and Evaluation, estimate 60,000 COVID-19 deaths in the United States.

- Surgeon General Adams noted that people of color are not “biologically or genetically predisposed” to COVID-19 but that they are “socially predisposed.” Minorities are more likely to live in densely packed areas and in multigenerational housing situations, which creates a higher risk of disease spread. Adams added that people of color have a greater burden of chronic health conditions.
- President Trump asserted that the federal response helped mitigate earlier shortages in personal protective equipment and other health care supplies. He stated that “we’re getting very few calls from governors or anybody else needing anything.”
- [Memorandum on Providing COVID-19 Assistance to the Italian Republic](#), April 10
 - President Trump responded to the Government of Italy’s request for assistance related to COVID-19. The President provided for aid to Italy, so long as the aid does not detract from the United States’ domestic response to COVID-19.
 - The President ordered the Secretary of State and the USAID Administrator, to identify public international organizations and NGOs that are capable of providing necessary supplies and equipment.
 - The President ordered the Secretary of Commerce to facilitate contracts between Italian authorities and United States companies and to encourage United States suppliers to sell items requested by Italian authorities or health care providers. President Trump ordered the Secretary of Defense to identify available excess supplies that could be transferred to the Secretary of State of distribution for humanitarian relief in Italy.
 - The President ordered the Department of Defense to provide telemedicine services to Italian hospitals, treat Italian non-COVID-19 patients, offer military-to-military medical evacuation services, and facilitate the transport of supplies, fuel, and food.
- [Memorandum on Visa Sanctions](#), April 10
 - President Trump ordered the Secretary of Homeland Security to notify the Secretary of State if any foreign government denies or delays the acceptance of citizens, nationals, or residents of that country, after being asked to accept them. Countries that deny or unreasonably delay repatriation efforts may “create unacceptable health risks for Americans.”
 - The Secretary of State must issue a plan to impose visa sanctions on any such country within 7 days of the country’s denial or delay. Sanctions may end once the country resumes accepting aliens without unreasonable delay.

World Health Organization (WHO)

- [COVID-19 Situation Report – 83 and COVID-19 Situation Report – 82](#), April 12
 - WHO issued [guidance](#) on the preferred and minimally acceptable requirements for COVID-19 vaccines, including vaccines for long-term protection and for reactive use in outbreak settings.
 - WHO developed a new [definition](#) for reporting COVID-19 deaths. A COVID-19 death is one which results from a clinically compatible illness in a probable or confirmed COVID-19 case, unless there is a clear alternative cause of death that cannot be related to COVID disease; there should be no period of complete recovery between the illness and death.

- WHO Director-General Tedros [warned](#) that “lifting restrictions too quickly could lead to a deadly resurgence.” To ease restrictions, countries should ensure that: transmission is controlled; sufficient medical services are available; outbreak risks in special settings such as long-term care facilities are minimized; preventive measures are in place in workplaces and schools; and communities are fully engaged in the transition.

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

- [Clinical Questions about COVID-19: Questions and Answers](#), April 11
 - CDC addressed frequently asked questions about obstetrical care and COVID-19.
 - During respirator shortages, N95 respirators should be reserved for situations where respiratory protection is most important, like in aerosol-generating procedures. High-flow oxygen use and forceful exhalation during the second stage of labor are not considered aerosol-generating procedures for respirator prioritization during shortages, unlike bronchoscopy or intubation.
- [Coronavirus and Travel in the United States](#), April 11
 - CDC recommends considering several factors when deciding whether to travel domestically, including: whether COVID-19 is spreading in the destination; whether travelers will be in close contact with others at public events or on public transportation; and whether travelers live with someone who is older or has a serious, chronic medical condition.
 - CDC recommends that travelers at higher risk for COVID-19 complications avoid all cruise travel and nonessential air travel.
- [Geographic Differences in COVID-19 Cases, Deaths, and Incidence](#), April 10
 - A recent study, published as an early release by CDC, reviewed the geographic distribution of laboratory-confirmed COVID-19 cases in the United States.
 - The study attributes the wide geographic variation in COVID-19 cases and deaths to the differential implementation and timing of public health practices, like shelter-in-place orders.
 - The study posits that population density plays a significant role in the acceleration of COVID-19 transmission. Cumulative incidence in urban areas like New York City and Washington DC exceeded the national average. Louisiana, which experienced a temporarily high population density because of an influx of visitors during Mardi Gras, has a higher cumulative incidence than other states in the South.
- [Use of Cloth Face Coverings to Help Slow the Spread of COVID-19](#), April 10
 - CDC issued [guidance](#) on how to wear and create homemade cloth face coverings.
 - Cloth face coverings should fit snugly but comfortably against the side of the face, be secured with ties or ear loops, include multiple layers of fabric, allow for breathing without restriction, and be able to be laundered and machine dried without damage to their shape.

New York State

- [*Governor Cuomo and Mayor de Blasio continue to disagree on New York City schools,*](#) April 12
 - Mayor de Blasio announced on Saturday that New York City schools would suspend in-person classes for the remainder of the school year.
 - Roughly 1,800 schools across the City's five boroughs adjusted to remote learning since they were initially shuttered on March 16. The closure has affected 1.1 million children.
 - Governor Cuomo disagreed with the Mayor's decision and insisted that de Blasio does not have the legal authority to extend school closures. Cuomo urged that the reopening of schools, businesses, and transportation should be coordinated with the rest of the State and, ideally, with New Jersey and Connecticut. Cuomo did not indicate when he would make a further decision on statewide school closures.
- [*Governor Returns Ventilators, Thanks Pathways Nursing Home for Generous Contribution,*](#) April 12
 - New York State reports 758 new COVID-19 deaths. The rate of hospitalization and intubation continues to fall. 110 people were intubated in New York yesterday – approximately one third of the procedures reported each day last week.
 - Governor Cuomo announced an executive order requiring employers at essential businesses to provide employees with cloth or surgical face masks to wear when interacting with the public.
 - The Governor criticized the federal response to the coronavirus, asserting that money had been misdirected, because states that were less hard-hit received a disproportionately larger share.
- [*Governor Announces Partnership to Provide Pro Bono Legal Assistance,*](#) April 11
 - Governor Cuomo wrote a [letter](#) to Treasury Secretary Mnuchin calling on the Treasury to ensure that stimulus payments are not frozen by banks or seized by creditors as soon as they arrive.
 - The Governor announced a partnership with the New York State Court System to create a pro bono [network](#) of volunteer lawyers to provide New Yorkers with free legal assistance to better understand the Unemployment Insurance benefits system.
- [*New York State is Ramping up Antibody Testing, Critical to Reopening Economy,*](#) April 10
 - The New York State Department of Health developed an antibody test for COVID-19. The State has the capacity to conduct 300 tests per day. Governor Cuomo projects that the State will be able to conduct 1,000 tests per day by Friday, April 17th and 2,000 tests per day by the following week. New York, Connecticut and New Jersey plan to create a regional testing partnership to bring mass testing to scale for residents in these states.

New York City

- [*Mayor De Blasio announced new testing sites in hard-hit communities*](#), April 11
 - Mayor de Blasio announced that by the end of next week, the City will open new testing centers in East New York, Brooklyn; Morrisania, Bronx; Harlem, Manhattan; Jamaica, Queens; and Clifton, Staten Island.
 - The number of new intubations in the City continues to fall, down from between 200 and 300 patients a day to about 70 patients a day. The City currently has a sufficient number of ventilators to meet clinical needs through the next week.
 - All City workers who have contact with the public will be required to wear face coverings as of Monday, April 13.
 - President Trump [announced](#) that 418 doctors, nurses, and respiratory therapists who were previously stationed on the Comfort Navy hospital ship and at the Javits Center, have been redeployed to hospitals around New York City and State.
- [*Mayor de Blasio Holds Media Availability on COVID-19*](#), April 11
 - The City plans to house 6,000 homeless single adults in hotels by Monday April 20th. Homeless seniors and anyone with symptoms of COVID-19 will be prioritized for transfer from homeless shelters to hotels.
 - Mayor de Blasio announced a five point plan to increase the effectiveness of distance learning initiatives. The City will: ensure that all students have electronic devices to access classes; expand 311 hotlines for parents; provide more creative at-home programming; help seniors meet graduation requirements; and create a comprehensive plan to reopen schools in September.
- [*Mayor de Blasio Holds Media Availability on COVID-19*](#), April 10
 - Mayor de Blasio highlighted the importance of thermometers in monitoring COVID-19 transmission. The City delivered thermometers to Department of Education enrichment centers for the children of health care workers, and to the Department of Corrections, 9-1-1 call centers, firehouses, sanitation garages, and NYPD precincts.
 - Mayor de Blasio is calling on the Rent Guidelines Board to issue a rent freeze for over 2 million New Yorkers in rent stabilized apartments. For other renters, the Mayor called on the State of New York to allow those who cannot afford to pay rent to do so using their security deposit.

Other Related Updates

- [*FDA COVID-19 Update: Daily Roundup*](#), April 10
 - FDA issued an [emergency use authorization](#) (EUA) for a blood purification system to treat patients 18 years or older with confirmed COVID-19 admitted to the intensive care unit with respiratory failure.
 - FDA issued its second [EUA](#) to decontaminate compatible N95 respirators for reuse by health care workers in hospital settings. The EUA issued to STERIS Corporation will support decontamination of approximately 750,000 N95 respirators per day.
 - FDA issued [guidance](#) for pharmacy compounders on how to preserve personal protective equipment if supplies are limited.
 - FDA and the Federal Trade Commission (FTC) issued a [warning letter](#) to Earthley Wellness for selling unapproved and misbranded herbal remedies for COVID-19.

- FDA issued a [letter](#) to stakeholders advising people not use ivermectin intended for animals as a treatment for COVID-19 in humans. People should not take any form of ivermectin unless it has been prescribed to them by a licensed health care provider and is obtained through a legitimate source.

Other recent events covered in detail elsewhere:

- [IRS Extends Filing Deadlines and Other Due Dates for Tax-Exempt Organizations](#), April 10
- [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

Send questions to COVID-19-Implications@ropesgray.com