COVID-19 Daily Update

April 2, 2020

Summary

The United States now 226,374 confirmed COVID-19 cases. More than 1,000 people died in the United States on Wednesday alone, raising the death toll to over 5,000. The Department of Labor reported a record 6.6 million people filed for unemployment benefits last week. The new figure marks the largest number of weekly claims ever recorded. The second-highest number of new weekly claims was the 3.3 million filed the week before, bringing the two-week total to nearly 10 million jobs lost. The Democratic National Committee postponed the party's national convention, moving it from mid-July to mid-August. President Trump announced that he may consider grounding some or all domestic flights, but noted his hesitation in doing so, as limiting flights would further adversely affect the airline industry. The President announced that he would not issue a nationwide stay-at-home order and will leave individual governors the discretion to implement their own measures. At least 38 states have announced stay-at-home orders.

Police in France announced that a refrigerated part of a food market near Paris would be turned into a temporary morgue. Spain has turned an ice rink in Madrid into a makeshift morgue as it struggles with its increasing death count. The medical examiner's office in New York City purchased 45 mobile morgues – refrigerated trailers equipped with shelves to store remains in plastic body bags. The mobile units have been dispatched to hospitals in all five boroughs to keep up with the city's escalating death toll. Another 85 refrigerated trucks are expected to be delivered by FEMA soon. FEMA has requested that the Defense Department make 100,000 body bags available to help state health agencies with mortuary affairs. Regional Emergency Medical Services Council of New York issued new guidance to EMS workers in the five boroughs and Long Island. Effective immediately, cardiac arrest patients who cannot be resuscitated in the field are to be declared dead and not brought to hospitals for further revival attempts.

General/Employer Guidance

Presidential updates
- *Remarks by President Trump and Members of the Coronavirus Task Force*, April 1
  - President Trump announced that he may consider grounding some or all domestic flights as a COVID-19 mitigation measure, but noted his hesitation in doing so, as shutting down flights would further adversely affect the airline industry.
  - President Trump stated that he would not issue a stay-at-home order for all states. The President noted that "states are different" and that some states remain largely

unaffected by COVID-19. He plans to leave individual governors with the discretion to implement their own measures to curtail the virus.
- o White House officials are skeptical of China's reports on its country's COVID-19 fatalities. Recent [reports](#) suggest that nearly 50,000 people may have died in Wuhan — as compared with China's official claim that about 2,500 people died.
- o Military experts discussed new deployments of counter-narcotics operations to the Caribbean and Eastern Pacific to put pressure on cocaine smugglers. President Trump claimed that applying pressure on cocaine smuggling also would help stanch the entry of people into the United States who might be carrying the coronavirus.

- *[President Donald J. Trump Approves Major Disaster Declarations](#)*, April 1
  - o President Trump declared that a major disaster exists in Hawaii, North Dakota, and the Commonwealth of the Northern Mariana Islands. 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.
  - o President Trump recently issued similar declarations for New York, California, Washington State, Louisiana, Iowa, Texas, Florida, New Jersey, Illinois, Missouri, Maryland, Massachusetts, Michigan, Oregon, Connecticut, Colorado, South Carolina, Kentucky, Georgia, Puerto Rico, Guam, the District of Columbia, Kansas, Alabama, Rhode Island, Pennsylvania, Ohio, and Montana.
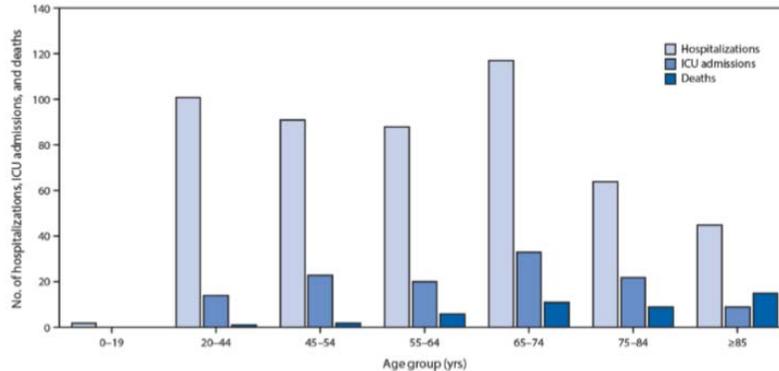
World Health Organization (WHO)
- *[Coronavirus disease 2019 (COVID-19) Situation Report – 72](#)*, April 1
  - o Three new countries reported cases of COVID-19, including Botswana, Burundi, and Sierra Leone.
  - o WHO released a scientific [brief](#) on the off-label use of medicines for COVID-19. WHO suggests it can be ethically appropriate to offer individual patients experimental interventions on an emergency basis, outside of clinical trials, provided that no effective treatment exists, it is not possible to initiate clinical studies immediately, and the results are shared with the wider medical community.
  - o WHO Director-General Tedros is "deeply concerned about the rapid escalation and global spread of infection." WHO called on governments to enact social welfare measures to ensure vulnerable populations have food and other essentials during the crisis.

U.S. Centers for Disease Control and Prevention (CDC)
- *[Clinical Management of Critically Ill Adults with COVID-19](#)*, April 2
  - o CDC held a Clinician Outreach and Communication Activity (COCA) webinar about the clinical characteristics of COVID-19 patients and the management of critically ill adults.
  - o COVID-19 presents as a wide spectrum of disease and can range from: uncomplicated upper respiratory tract vital infections; severe pneumonia with respiratory distress; and critical illness like respiratory failure, septic shock, and multiple organ failure.
  - o Most patients have mild to moderate disease, but nearly 20% have severe or critical illness. Clinicians report a strong potential for patients to have acute deterioration in

the second week of illness. While older adults are more likely to require ICU care and die, CDC notes that hospitalizations and ICU admissions also occur in non-elderly adults.

COVID-19 United States, February 12–March 16, 2020 (N = 4,226)

- *Presymptomatic Transmission of SARS-CoV-2*, April 1
    - A recent study, published as an early release by CDC, found evidence that infected people can spread the COVID-19 before they develop symptoms.
    - The study reviewed 243 coronavirus cases in Singapore and traced all individuals the patients had been in contact with before becoming ill. The study determined that 6.4% of transmissions in the study were from presymptomatic patients. Presymptomatic transmission occurred one to three days before symptom onset in the presymptomatic source patients.
    - To account for the possibility of presymptomatic transmission, the study recommends that contact tracing protocols consider including a period of time before symptom onset.

- *Updated Cleaning and Disinfection Guidelines for Community Facilities*, April 1
    - CDC updated its cleaning and disinfection guidelines for community facilities to include recommendations on the timing of disinfection after a suspected or confirmed COVID-19 case.
    - At an office or other facility that does not house people overnight, CDC recommends closing off areas visited by the ill person. All outside doors and windows should be opened, using ventilating fans to increase air circulation in the area. CDC advises waiting 24 hours or as long as practical before beginning cleaning and disinfection.
    - If it has been more than 7 days since the person with suspected or confirmed COVID-19 visited or used the facility, additional cleaning and disinfection is not necessary.

- *Decontamination and Reuse of Filtering Facepiece Respirators using Contingency and Crisis Capacity Strategies*, April 1
    - CDC provided guidance on the decontamination and reuse of respirators, as a contingency capacity strategy to conserve available supplies for health care professionals during a pandemic. Based on the limited research available, ultraviolet germicidal irradiation, vaporous hydrogen peroxide, and moist heat show the most promise as potential methods to decontaminate respirators.

- o CDC warns that decontamination may diminish the proper fit, filtration efficiency, and breathability of respirators. As such, it only recommends decontamination and reuse when respirator shortages exist.

New York State
- *New York has only six days' worth of ventilators left*, April 2
  - o Governor Andrew Cuomo announced that 2,373 people have died in New York State, up from 1,941 the previous morning. The State now has 92,381 confirmed COVID-19 cases. Governor Cuomo warned that the virus is spreading into rural and suburban areas. Nassau County has 1,000 new cases while Suffolk County has 1,141 new cases.
  - o The State predicts it will reach its peak infection rate in seven to 30 days. At the current usage rate, New York will run out of ventilators in six days. Governor Cuomo stated he does not "think the federal government is in a position to provide ventilators to the extent the nation may need them."

- *Governor Cuomo Announces Regeneron is Creating 500,000 Test Kits for State*, April 1
  - o Governor Andrew Cuomo announced that Regeneron Pharmaceuticals is creating 500,000 test kits for New York State at no charge. The first batch of test kits was delivered to the State on Monday and Regeneron will continue delivering 25,000 kits each day. To date, the State has tested 220,880 individuals, at a rate of approximately 15,000 per day.
  - o The Governor announced the launch of a new PSA that provides information on how to apply for unemployment benefits and reassures New Yorkers if their unemployment filing is delayed, they will still receive full unemployment benefits.

New York City
- *EMS Memo: Patients in cardiac arrest may not be brought to hospitals for medical help*, April 2
  - o Regional Emergency Medical Services Council of New York issued new guidance to EMS workers in the five boroughs and Long Island. Effective immediately, cardiac arrest patients who cannot be resuscitated in the field are to be declared dead and not brought to hospitals for further revival attempts.
  - o The new policy is part of an effort to focus on patients who are most likely to survive, while hospitals are overrun with COVID-19 patients. According to American College of Cardiology guidance issued last month, patients who go into cardiac arrest outside a hospital have a slim chance of survival, and CPR risks "wide dissemination" of coronavirus particles.

- *Mayor de Blasio Holds Media Availability on COVID-19*, April 1
  - o Mayor de Blasio provided an update on the critical supplies the city needs before Sunday, April 5. The city still needs 3.3 million N95 masks, 2.1 million surgical masks, 100,000 isolation gowns, and 400 ventilators. The Mayor submitted requests for these supplies to the federal government, state government, and private vendors.
  - o By the end of April, the city estimates it will need an additional 65,000 additional hospital beds to accommodate new virus patients. To meet the expected demand, the city's public hospital system plans to convert all of its facilities to intensive care units.

Patients who do not have the virus will be sent to large-scale temporary hospitals, like the one set up at the Javits Convention Center, or to hotels that are being converted into temporary medical facilities. So far, the city had secured 10,000 beds from 20 hotels.

Other Related Updates
- *DOL Unemployment Insurance Weekly Claims Report*, April 2
  - In the week ending March 28, the Department of Labor (DOL) reports 6,648,000 initial claims for unemployment insurance. This is an increase of 3,341,000 from the previous week and marks the highest level of initial unemployment claims in history. Nearly 10 million people have filed for unemployment insurance over the last two weeks.
  - Many project that the labor market could surpass the 15 million jobs lost at the peak of the 18-month recession from 2007 to 2009. Prior to the COVID-19 outbreak, the unemployment rate in the U.S. was near a 50-year low.

- *DOL Announces Implementation of Families First Coronavirus Response Act Provisions*, April 1
  - The Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act, both part of the Families First Coronavirus Response Act (FFCRA), went into effect on April 1. FCCRA reimburses American private employers that have fewer than 500 employees with tax credits for the cost of providing employees with paid leave for specified reasons related to COVID-19.
  - DOL offers a fact sheet for employers and a listing of answers to the most frequently received questions from stakeholders. A DOL field assistance bulletin highlights that DOL will not bring enforcement actions against any public or private employer for violations of the Act occurring within 30 days of the enactment of the FFCRA provided that the employer has made reasonable, good faith efforts to comply with the Act.

- *FDA COVID-19 Update: Daily Roundup*, April 1
  - FDA developed quality-controlled, reference sequence data for the SARS-CoV-2 reference strain for the United States. The availability of traceable and quality-controlled data will help test and vaccine developers expedite the development of medical countermeasures.
  - FDA issued a temporary policy, stating that it will not object if chain restaurants do not meet nutrition labeling requirements during the COVID-19 pandemic. FDA acknowledged that retail food establishments are temporarily changing business practices as a result of the pandemic—for example, some dine-in operations are switching to takeout only, which may require changes in online ordering portals and printed menus.

Other recent events covered in detail elsewhere:
- COVID-19 Disruptions of International Clinical Trials: Comparing Guidance Issued by FDA, EMA, MHRA and PMDA, April 2

- [CARES Act – Financial Relief Sections Applicable to Health Care Providers](#), April 1
- [IRS Issues Initial Tax Guidance for Advance Payment of Employee Retention Credits and Families First Credits](#), April 1
- [FCA's Head of Technology, Resilience and Cyber outlines expectations on cyber resilience and security](#), April 1

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