

COVID-19 Daily Update

April 26, 2020

Summary

The United States has 961,969 confirmed COVID-19 cases and 54,530 reported related deaths. The Director of the Johns Hopkins Center for Health Security asserted that the number of new COVID-19 cases in the United States has started to plateau. Dr. Birx predicted that the number of COVID-19 deaths and hospitalizations will decline “dramatically” by the end of May but that “social distancing will be with us through the summer.” Chinese officials report that Wuhan, the original epicenter of the pandemic in China, does not have any hospitalized COVID-19 patients. China changed its regulations to facilitate the export of N-95 respirators, surgical masks, ventilators, infrared thermometers and other medical supplies. Goods must meet either Chinese or foreign quality standards and, for the first time, the exporter and importer must both attest that the goods comply with these standards before the items may leave China. Two Dutch farms in the Netherlands were quarantined after minks tested positive for COVID-19. COVID-19 has been detected in other animals, including a pet dog in Hong Kong, two pet cats in New York State, and a tiger at the Bronx Zoo.

WHO cautioned that antibody tests still require “further validation to determine their accuracy and reliability.” WHO pushed back on the idea of creating “immunity passports” based on antibody tests, given that there is “currently no evidence that people who have recovered from COVID-19 and have antibodies are protected from a second infection.” Dr. Birx commented that WHO was being “very cautious” in its assessment and added that CDC and FDA are gathering data to improve and refine antibody tests. A recent analysis of 14 antibody tests found that only three delivered consistently reliable results, and even those had some flaws.

New York reported 367 deaths on Saturday, the lowest single-day death toll since March 31. 5,902 people tested positive for the virus and 1,087 new coronavirus patients were hospitalized. Governor Cuomo reiterated that the pandemic has not uniformly affected New York State. Governor Cuomo announced plans to re-open manufacturing and construction businesses in less populous areas of the State after May 15. The State will then re-open in phases, prioritizing businesses based on the risk of re-opening and how essential the business is to the public. Mayor de Blasio announced that New York City’s economic reopening might not be completed until 2022, but promised that a “more just society” would emerge. The USNS Comfort will soon depart for its homeport in Norfolk, Virginia; it treated 182 patients over the course of its deployment in New York City. As of early Sunday morning, there was one patient left on the ship.

General/Employer Guidance

Presidential updates

- [President Trump says coronavirus briefings 'not worth the effort'](#), April 26
 - President Trump skipped his daily COVID-19 briefing on Saturday and later [tweeted](#) that it was “not worth the time and effort.” The White House Coronavirus Task Force met privately instead.
 - The President offered the following explanation for his absence: “[T]he Lamestream Media asks nothing but hostile questions, & then refuses to report the truth or facts accurately. They get record ratings, & the American people get nothing but Fake News.”
- [Remarks by President Trump at a Signing Ceremony for H.R. 266, Paycheck Protection Program and Health Care Enhancement Act](#), April 24
 - President Trump stated that he would not authorize any financial assistance for the struggling United States Postal Service (USPS) unless it agrees to enact dramatic price increases for shipping packages.
 - USPS is facing a \$54 billion shortfall over the next decade and projects a \$13 billion revenue shortfall this fiscal year. The President suggested that Amazon and other online retailers profit from USPS’ low prices and that USPS should raise prices or “let Amazon build their own post office.”
 - President Trump later [tweeted](#) that he would “never let our Post Office fail.” He said the Postal Service “has been mismanaged for years,” but said that “the people that work there are great, and we’re going to keep them happy, healthy, and well!”

World Health Organization (WHO)

- [COVID-19 Situation Report –96 and –97](#), April 26
 - WHO [launched](#) the Access to COVID-19 Tools (ACT) Accelerator, a global collaboration to accelerate the development, production, and equitable access to COVID-19 diagnostics, therapeutics, and vaccines.
 - WHO [reports](#) a dramatic increase in COVID-19 related cyber-attacks directed at its staff and email scams targeting the public.
 - WHO [urged](#) countries to strengthen vaccination efforts against seasonal influenza to prevent respiratory illness outbreaks during the COVID-19 pandemic.
- [“Immunity passports” in the context of COVID-19](#), April 24
 - Some governments have suggested that COVID-19 antibody tests could measure whether individuals are protected against re-infection and serve as an “immunity passport” or “risk-free certificate” that would enable individuals to travel or to return to work.
 - WHO warned that there is “currently no evidence that people who have recovered from COVID-19 and have antibodies are protected from a second infection.” WHO cautioned that antibody tests still require “further validation to determine their accuracy and reliability.”

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

- [COVIDView Weekly Summary](#), April 24
 - CDC summarized key COVID-19 disease indicators for the week ending April 18.
 - The national percentage of respiratory specimens testing positive for COVID-19 remained similar to or decreased slightly from the previous week; it increased from 17.8% to 18.8% in public health labs and decreased from 22.8% to 19.7% in commercial labs.
 - The overall cumulative hospitalization rate is 29.2 per 100,000, with the highest rates in people 65 years and older (95.5 per 100,000) and 50-64 years (47.2 per 100,000).

- Based on death certificate data, the percentage of total deaths attributed to pneumonia, influenza, or COVID-19 decreased from 23.6% to 18.6% from the prior week, but remained significantly above baseline.
- [CDC FAQs for Law Enforcement Agencies and Personnel](#), April 24
 - CDC answered frequently asked questions on COVID-19 for law enforcement agencies. CDC recommends that police isolate those taken into custody as much as possible and supply detainees with face coverings.

New York State

- [Some New York Businesses Might Open in May](#), April 26
 - New York reported 367 deaths on Saturday, the lowest single-day death toll since March 31. 5,902 people tested positive for the virus and 1,087 new coronavirus patients were hospitalized. 12,839 people are currently hospitalized for COVID-19 across New York State.
 - Governor Cuomo announced that certain regions of New York might be able to re-open construction and manufacturing businesses after May 15. Other businesses would then be re-opened based the level of risk involved in their operation and how essential they are to the population.
- [New York Attorney General James COVID-19 Updates](#), April 25
 - Attorney General James [secured](#) commitments from the parent company of New York Sports Clubs and Lucille Roberts to provide economic relief to members who were charged dues over the last six weeks, despite a state-wide shutdown of all health clubs and gyms.
 - Attorney General James sent [a letter](#) to 35 of New York’s major mortgage companies, urging them to support homeowners who are adversely affected by COVID-19. The letter urges mortgage servicers to automatically waive late fees, permit owners to renew 90-day forbearance agreements for up to one year, and to ensure affected homeowners can easily resume payments at the end of a forbearance period.
 - Attorney General James issued a [statement](#) demanding that fast food restaurants provide employees with the proper personal protective equipment during the pandemic.
- [Governor Cuomo Remarks on Federal Funding for New York State](#), April 24
 - Governor Cuomo commented on the New York State’s projected revenue shortfall and called for federal aid. Senator Mitch McConnell recently [stated](#) that states should consider declaring bankruptcy, instead of collecting additional federal support. Governor Cuomo described this statement as “the most un-American, uncharitable, ugly statement of all time.”
 - State tax revenue has [plummeted](#) with the shutdown of much of the economy. In increasingly urgent pleas to Congress, states have asked for \$300 billion to \$1 trillion to curtail state budget shortfalls. Arizona predicts a \$1.1 billion gap. Illinois expects to be more than \$4.6 billion short, while Pennsylvania could be up to \$3.9 billion short. Analysts estimated a budget gap of up to \$7 billion in New York — a projection made in the middle of March, long before the severity of the outbreak was known.
- [New Domestic Violence Text Program and Confidential Online Service](#), April 24
 - New York State announced a new text program and confidential online service to aid victims of domestic violence.
 - Due to social distancing guidelines, domestic violence victims are vulnerable and unsafe in home isolation. Calls to the State’s domestic violence hotline have increased 30% in April, compared to the same time last year. State Police reported a 15% increase in domestic violence incident calls in March.

New York City

- [Mayor de Blasio Holds Media Availability on COVID-19](#), April 26
 - Mayor de Blasio announced the creation of several advisory councils, divided by industry and sector, to shape policies for New York City's re-opening. The councils will focus on areas including small business, public health and health care, labor, arts and culture, and tourism.
 - The City created a task force on racial inclusion and equity to address the racial disparities exacerbated by COVID-19. The Mayor appointed his wife, Chirlane McCray, to lead the task force.
 - New York City also plans to form a "fair recovery task force," to make the City's re-opening as equitable as possible. The group will deliver a preliminary road map for recovery by June 1.
- [New York City Department of Health Guidance on Coping with Isolation or Quarantine in Hotel Settings](#), April 25
 - New York City Department of Health (NYCDOH) issued guidance on coping with isolation or quarantine in hotel settings.

Other Related Updates

- [U.S. testing needs "a huge technology breakthrough"](#), April 26
 - Dr. Deborah Birx asserted that the United States should develop screening tests for COVID-19 antigens and that it would take a "huge technology breakthrough" to test the population on the necessary scale.
 - [Current tests](#) are polymerase chain reaction (PCR) tests. In a PCR test, genetic material collected in a nasal swab is copied millions or billions of times to look for evidence of viral genetic material. PCR tests are viewed as the most accurate form of testing but require extensive time, energy, and trained personnel.
 - [Antigen tests](#) look for fragments of viral surface proteins as a marker for infection. An antigen is the part of a pathogen that elicits an immune response. Identifying the presence of antigens could mean a diagnosis of infection in just a matter of minutes, without expensive equipment, training, or power.
- [FDA COVID-19 Update: Daily Roundup](#), April 24
 - FDA issued [guidance](#) on an enforcement policy to increase the availability of remote reviewing and reporting of scanned digital images of pathology slides during the pandemic.
 - FDA and the Federal Trade Commission issued a [warning letter](#) to Prefense LLC for selling unapproved and misbranded hand sanitizer products.
- [U.S. Medical Centers Report Strokes in Young COVID-19 Patients](#), April 25
 - Three large U.S. Medical Centers plan to publish data on the incidence of sudden strokes in COVID-19 patients in their 30s and 40s. Researchers report an increase in blood clots in COVID-19 patients. Doctors report that some patients also develop more than one large clot in their heads, which is highly unusual.
 - Mount Sinai reports that the number of patients with large blood clots in their brains doubled over the course of three weeks. More than half of the 32 stroke patients were COVID-19 positive. The COVID-19 stroke patients were, on average, 15 years younger than the stroke patients without the virus.
- [Presymptomatic COVID-19 Infections and Transmission in a Skilled Nursing Facility](#), April 24
 - A study, published in the New England Journal of Medicine, assessed the transmission of COVID-19 in a skilled nursing facility.

- Twenty-three days after the first positive test result in a resident, 64% tested positive for COVID-19. Among 76 residents who participated in point-prevalence surveys, 48 (63%) tested positive. Of these 48 residents, 27 (56%) were asymptomatic at the time of testing; 24 subsequently developed symptoms, with a median time to onset of four 4 days.
- As more than half of residents with positive test results were asymptomatic at the time of testing and most likely contributed to transmission, infection-control strategies focused solely on symptomatic residents were not sufficient to prevent COVID-19 transmission.
- [*HHS & FEMA COVID-19 Updates*](#), April 25
 - FEMA awarded [grants](#) to fund crisis counseling services for state residents struggling with stress and anxiety as a result of the coronavirus pandemic.
 - The Agency for Healthcare Research and Quality released a [patient safety primer](#) on protecting nursing home residents from COVID-19.
- [*Department of Labor Issues Additional Respirator Enforcement Guidance*](#), April 24
 - The Department of Labor (DOL) issued [interim enforcement guidance](#) on re-using disposable N95 filtering face piece respirators that have been decontaminated. The guidance applies to workplaces where workers need respirators to protect against exposure to infectious agents that could be inhaled into the respiratory systems.

Other recent events covered in detail elsewhere:

- [Treasury Issues Additional Guidance Regarding Paycheck Protection Program Eligibility](#), April 24
- [Key Health Care Provisions of the Paycheck Protection Program and Health Care Enhancement Act](#), April 23
- [Ensuring Compliance as Usual Even Without Business as Usual in Latin America](#), April 23
- [HHS Provides Guidance on Additional Distributions from the Public Health and Social Services Emergency Fund](#), April 23

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