

March 29, 2020

**Summary**

CDC issued a formal travel advisory urging residents from New York, New Jersey, and Connecticut to immediately refrain from nonessential domestic travel for 14 days. The order excludes workers in critical industries, including public health, food service and trucking. The three states make up more than half of the over 130,400 cases and 2,314 deaths nationwide. President Trump had contemplated issuing an enforceable quarantine for parts of those states, then later said it would not be necessary. Rhode Island issued an Executive Order that New York license plates would be stopped at the border for mandatory quarantine of some period. The order has since been repealed.

In New York, the number of confirmed cases jumped by 7,200 in one day, putting the total of confirmed cases at 59,513 cases as of Sunday. More than half of the cases are in New York City. About 8,500 people are currently hospitalized, an increase of 16 percent from Saturday to Sunday. Of those, 2,037 are in intensive care units with ventilators. The City's 911 system has been overwhelmed by calls for medical distress related to the virus. Typically, the system sees about 4,000 Emergency Medical Services calls a day. On Thursday, dispatchers took more than 7,000 calls — a volume not seen since the Sept. 11 attacks. The record for amount of calls in a day was broken three times in the last week. Governor Cuomo announced that all "NYS On Pause" policies will be extended for an additional two weeks. This includes the closure of restaurants and bars, gyms, movie theaters, and salons as well as limitations on non-essential gatherings of any size. The Governor directed the non-essential workforce to continue to work from home through April 15.

## General/Employer Guidance

**Presidential updates**

- [Remarks by President Trump at Naval Station Norfolk Send-Off for USNS Comfort](#), March 28
  - The USNS Comfort was deployed to New York harbor on Saturday in an attempt to provide relief to hospitals overwhelmed by the virus. The naval hospital ship is equipped with 12 operating rooms, 1,000 hospital beds, a pharmacy, radiology, CAT-scan equipment, two oxygen-producing plants, and a helicopter deck. The ship is also staffed by 1,200 Navy members, including doctors, nurses, and technicians.
  - Coronavirus patients won't be treated on the ship. Instead, it will be used to treat New Yorkers who don't have the virus but still require urgent care. The ship was not scheduled to leave for

New York Harbor for another three weeks, but officials pushed up its departure date because of the rapid spread of the virus. It is expected to arrive in New York on Monday.

- [\*Executive Order on Delegating Additional Authority Under the DPA\*](#), March 27
  - President Trump signed an executive order delegating authority under the Defense Production Act to the Department of Health and Human Services (HHS) and the Department of Homeland Security (DHS).
  - The order authorizes the HHS and DHS Secretaries to guarantee loans by private institutions, make loans, make provision for purchases and commitments to purchase, and take additional actions to create domestic industrial base capability to produce personal protective equipment and ventilators.
  - The President also appointed White House Trade Advisor Peter Navarro as the National Defense Production Act Policy Coordinator.
  
- [\*Executive Order on the Selected Reserve and the Individual Ready Reserve\*](#), March 27
  - President Trump signed an executive order authorizing the Secretaries of Defense and Homeland Security to activate the Individual Ready Reserve (IRR) components of the armed forces. According to the President, this will allow the mobilization of medical disaster and emergency response personnel by activating thousands of experienced service members, including retirees.
  - National Guard and reserves are part of the “active reserves,” while IRR is the inactive counterpart. IRR consists of a pool of former service members who recently left active military service, but still have time left to serve on their military contracts.
  - Those who enter IRR do so with the understanding that they could be called back to duty if the need arises. It remains unclear if the executive order will actually lead to any call-ups from individuals in IRR. The executive order states that a term of duty may not exceed 24 consecutive months. It further specifies that there may not be more than one million members on active duty at any one time.
  
- [\*President Donald J. Trump Approves Major Disaster Declarations\*](#), March 29
  - President Trump declared that a major disaster exists in Massachusetts, Michigan, Oregon, Connecticut, Colorado, South Carolina, Kentucky, Georgia, Puerto Rico, and Guam. 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 recently issued similar declarations for New York, California, Washington State, Louisiana, Iowa, Texas, Florida, New Jersey, Illinois, Missouri, and Maryland.

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

- [\*Coronavirus disease 2019 \(COVID-19\) Situation Report – 68\*](#), March 28
  - WHO reports that two new areas have reported cases of COVID-19, including Anguilla and British Virgin Islands.
  - WHO Director-General Tedros recently highlighted that the chronic global shortage of personal protective equipment (PPE) is one of the most urgent threats to our collective ability to save lives. WHO has shipped nearly 2 million individual items of PPE to 74 countries and is preparing to send a similar amount to 60 additional countries.
  - WHO issued a new [practical manual](#) on how to set up and manage a severe acute respiratory infection (SARI) treatment center within health care facilities.

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

- [\*CDC Issues Domestic Travel Advisory for New York, New Jersey, and Connecticut\*](#), March 28
  - CDC issued a domestic travel advisory for residents of New York, New Jersey, and Connecticut, urging them to refrain from non-essential domestic travel for 14 days. The advisory does not apply to employees of critical infrastructure industries, such as trucking, public health professionals, financial services, and food supply.
  - The advisory further states that the Governors of New York, New Jersey, and Connecticut have full discretion to implement these recommendations.
- [\*Asymptomatic SARS-CoV-2 Infections in Residents of a Long-Term Care Facility\*](#), March 27
  - A new study, published as an early release by CDC, examined a COVID-19 outbreak in a long-term care skilled nursing facility.
  - Following identification of a case of COVID-19 in a health care worker, 76 of 82 residents of a long-term care facility were tested for SARS-CoV-2. Nearly 30 percent had positive test results, approximately half of whom were asymptomatic or pre-symptomatic on the day of testing.
  - The study shows that symptom-based screening might fail to identify all COVID-19 infections, and that asymptomatic and pre-symptomatic individuals may contribute to COVID-19 transmission.
- [\*CDC Statement on COVID-19 Apple App\*](#), March 27
  - Apple Inc., in partnership with the White House Coronavirus Task Force, HHS, and CDC, released an app and website that guides Americans through a series of questions about their health and exposure to determine if they should seek care for COVID-19 symptoms. The tool provides CDC recommendations on next steps including guidance on social distancing and self-isolating, how to closely monitor symptoms, recommendations on testing, and when to contact a medical provider.

## New York State

- [\*Governor Cuomo Announces NYS On Pause Functions Extended for Two Weeks\*](#), March 29
  - Governor Cuomo announced that all “NYS On Pause” policies will be extended for an additional two weeks. This includes the closure of restaurants and bars, gyms, movie theaters, and salons as well as limitations on non-essential gatherings of any size. The Governor directed the non-essential workforce to continue to work from home through April 15— after which the State plans to re-evaluate its policies.
  - New York State’s Wadsworth Lab has developed a new test for COVID-19 done through a saliva sample and a self-administered short nasal swab in the presence of a health care professional. The test will help conserve personal protective equipment, reduce potential exposure of the virus to health care workers, and allow the state to continue to test as many individuals as possible. The new testing will begin within a week.
  - The Governor announced that New York pharmacies have agreed to offer free home delivery to help reduce long lines for prescriptions at their facilities. The Governor also issued an executive order to allow schools to host day care free of charge.
- [\*Governor Cuomo Issues Executive Order Moving Presidential Primary Election\*](#), March 28
  - Governor Andrew Cuomo issued an executive order to move the presidential primary election from April 28 to June 23, aligning it with the congressional and legislative primaries in New York. Cuomo also issued an executive order pushing back the state tax filing deadline for personal and corporate taxes to July 15.

- The Governor announced three new sites, which will add 695 more beds to the state's health care capacity. These include South Beach Psychiatric Center in Staten Island, Westchester Square in the Bronx, and Health Alliance in Ulster County. Three additional sites plan to designate space only for COVID-19 patients. These include South Beach Psychiatric Facility in Staten Island, Westchester Square in the Bronx, and SUNY Downstate in Brooklyn.
- The federal government has also approved four new sites for temporary hospitals for construction by the Army Corps of Engineers, including the Brooklyn Cruise Terminal, the Aqueduct Racetrack facility in Queens, CUNY Staten Island and the New York Expo Center in the Bronx. These will add 4,000 beds to the state's capacity.
- [AG James Warns New Yorkers about Scams Related to Federal Relief for COVID-19](#), March 28
  - New York Attorney General James issued an alert, warning New Yorkers about potential scams related to the federal stimulus package passed by Congress to provide economic relief during the COVID-19 outbreak. The Office of the Attorney General (OAG) has received reports of scammers attempting to steal personal and financial information by using the news that the federal government will send payments to people across the country as part of the economic relief efforts.
  - Attorney General James noted that scammers may use emails, texts, or webpages that look like they are from the federal government. She also highlighted that if individuals are eligible for a payment, they will receive payment directly from the IRS – there is no need to pay any processing fees to receive a stimulus payment.
- [Governor Cuomo Announces Completion of Temporary Hospital](#), March 27
  - Governor Cuomo announced that, for a 60 day period, consumers and small businesses experiencing financial hardship due to COVID-19 may defer paying premiums for property and casualty insurance, including auto, homeowners, renters, workers comp, medical malpractice, livery and taxi.
  - The Governor also announced that all schools in New York State must remain closed for an additional two weeks until April 15th to ensure consistency and uniformity across the state in instructional time for this extraordinary school year. Schools will be required to continue child care, meal and distance learning programs.
  - The Governor also announced that for a 90 day period, consumers experiencing financial hardship due to COVID-19 may defer paying life insurance premiums. No late fees will be assessed and no negative data will be reported to credit bureaus during this time, and late payments will be payable over a one-year period. LICONY, or the Life Insurance Council of New York, which represents over 80 percent of the life insurance industry, has agreed to these measures.

## **New York City**

- [Percent of patients testing positive for COVID-19](#), March 28
  - The New York State Department of Health (NYC DOH) released a [map](#) of patients testing positive for COVID-19 by New York City neighborhood. Queens has been described as the epicenter of the epicenter, and contains some of the hardest hit neighborhoods. These include Southwest Queens, Jamaica, and West Queens where roughly 70 percent to 85 percent of patients tested positive.
- [Mayor de Blasio Announces Mask Donation From The United Nations](#), March 28
  - Mayor Bill de Blasio announced the donation of 250,000 surgical masks from the United Nations to help New York City in its fight against COVID-19. The donation comes in response

to Mayor de Blasio's appeal for supplies to help the City's health care workers. New York City remains the epicenter of the pandemic in the U.S. with more than 33,768 confirmed cases.

- [\*Mayor de Blasio Calls for Rent Freeze Amid COVID-19 Crisis\*](#), March 27
  - Mayor de Blasio called for a rent freeze for 2.3 million tenants in nearly 1 million rent-stabilized units across the City. The City will work with the State to suspend the Rent Guidelines Board process for the upcoming year, which will maintain all regulated rents at this year's level.
  - Following a new executive order from the State, all non-essential construction activity will be halted until further notice, unless the project is an emergency project necessary to protect the health and safety of the occupants, or if shutting down the site would create unsafe conditions. In addition, essential construction may continue and such construction includes: roads, bridges, transit facilities, utilities, hospitals or health care facilities, affordable housing, and homeless shelters.
  - The City has released at least 450 people from City jails. The City jail population is now 4,809 marking the first time since 1949 that the City's jail population is below 5,000.

### **Other Related Updates**

- [\*Confirmed Cases Within the Past 14 Days\*](#), March 29
  - TSA announced that 52 TSA screening officers and 21 additional TSA employees across the nation have tested positive for coronavirus in the last two weeks. The officers work at 18 airports in 14 states. The 21 additional employees were not involved in the passenger screening process and have relatively limited interaction with the traveling public, TSA said. New York and New Jersey continue to have the highest number of positive tests: New York with 21 and New Jersey with five.
- [\*Guidance on the Essential Critical Infrastructure Workforce\*](#), March 28
  - Cybersecurity and Infrastructure Security Agency (CISA) recently issued advisory guidance on the critical infrastructure workforce.
  - This advisory guidance and accompanying list are intended to support state, local, tribal, territorial and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.
  - It includes many industries, including health care, law enforcement, food and agriculture, energy, water, transportation, public works, and communications and information technology.
- [\*OCR Issues Bulletin on Civil Rights Laws and HIPAA Flexibilities\*](#), March 28
  - Many states and hospitals [are developing plans for how to ration care](#) if the number of critically ill coronavirus patients exceeds capacity. Many plans would prioritize patients who were most likely to survive their immediate illness, and who also had a better chance of long-term survival. Some plans instruct hospitals not to offer mechanical ventilators to people above a certain age or with particular health conditions.
  - The Office for Civil Rights (OCR) at the U.S Department of Health and Human Services (HHS) issued a [bulletin](#) to ensure that states do not allow medical providers to discriminate on the basis of disabilities, race, age or certain other factors when deciding who receives lifesaving medical care during the coronavirus emergency.
  - The bulletin also reminds health care covered entities of unprecedented HIPAA flexibilities recently made available by OCR in response to the COVID-19 emergency. This includes OCR's Notice of Enforcement Discretion allowing providers to serve patients where they are through commonly used apps like FaceTime, Skype, and Zoom to provide telehealth remote

communications. It also includes guidance on how health care providers can share information with the CDC, family members of patients, and others, to help address the COVID-19 emergency.

- [\*Coronavirus \(COVID-19\) Update: Daily Roundup\*](#), March 27
  - FDA published [guidance](#) to ensure that manufacturers notify the agency of any permanent discontinuance or interruption of drug and biological product manufacturing in a timely manner. The guidance includes the necessary timelines for drug and biologic manufacturer notifications, and the required contents of any disclosure.
  - FDA issued a [letter to stakeholders](#) about the imminent threat to the health of consumers who may take chloroquine phosphate products used to treat disease in aquarium fish, thinking the products are interchangeable with FDA-approved drugs (used to treat malaria and certain other conditions in humans) that are being studied as a COVID-19 treatment for humans. Chloroquine products sold for aquarium use have not been evaluated by the FDA to determine whether they are safe, effective, properly manufactured, and adequately labeled for use in humans.

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