

COVID-19 Daily Update

July 12, 2020

Summary

The United States has 3,278,946 confirmed COVID-19 cases and 135,029 reported related deaths. President Trump wore a mask in public for the first time during a visit to the Walter Reed National Military Medical Center in Maryland on July 11. Education Secretary DeVos continued to push schools to re-open in the fall, and stated that “the go-to needs to be kids in school, in-person, in the classroom because we know for most kids, that’s the best environment for them.” American Academy of Pediatrics (AAP) issued a new statement on Friday, July 10, which makes it clear that while in-person school provides crucial benefits to children, “public health agencies must make recommendations based on evidence, not politics.” AAP stated that “science and community circumstances must guide decision-making.”

Many report widespread testing delays across the South and West at drive-thru and walk-up testing centers, urgent care, doctor’s offices, and government-supported testing sites. Assistant Health Secretary Giroir acknowledged that commercial labs are taking longer to complete non-emergency COVID tests. He said that the nation’s testing system is not at its maximum capacity, but commented that “we’re certainly pushing the frontiers.” Eight states set single-day death records over the last week, including Alabama, Arizona, Florida, Mississippi, North Carolina, South Dakota, Texas, and Tennessee. Louisiana Governor McMaster prohibited the sale of alcohol in all restaurants and bars beginning July 11, with the hope of curbing transmission among young adults; more than 20% of the state’s confirmed cases are in people ages 21 to 30. California announced plans to release up to 8,000 prisoners this summer in an effort to prevent the spread of COVID-19 in correctional facilities.

New York reported 5 deaths, 801 hospitalizations, and 174 COVID-19 patients in intensive care on Sunday, July 12. Approximately 677, or 1.08%, of the 62,418 conducted in New York on July 11 were positive for COVID-19. New York State Department of Health announced that nursing homes and long care facilities will be allowed to resume limited visitation in facilities that have not had any new COVID-19 cases for at least 28 days. Only 10% of residents in each facility will be allowed visitors at any one time; residents will be limited two visitors and all visitors must have their temperatures checked, wear masks, and socially distance during the visit. New York City daycare facilities will be allowed to re-open on Monday, July 13, with social distancing policies, face covering requirements, daily health screenings for children and employees, and frequent cleaning.

Presidential updates

- [*President Trump Wears Mask Publicly for the First Time*](#), July 11
 - President Trump wore a mask in public for the first time during a visit to the Walter Reed National Military Medical Center in Maryland on July 11.
 - President Trump [commented](#) that “I think when you’re in a hospital... where you’re talking to a lot of soldiers and people that, in some cases, just got off the operating tables, I think it’s a great thing to wear a mask. I’ve never been against masks, but I do believe they have a time and a place.”
 - More than 20 states now [require](#) face masks to be worn in public; the mandates differ as to whether masks are required only indoors or in all public settings. Several states, such as New Jersey, that initially required masks indoors recently expanded their rules to include any outdoor public area where physical distancing is not possible.

World Health Organization (WHO)

- [*COVID-19 Situation Report – 174*](#), July 12
 - WHO conducted a [survey](#) of animal laboratory capacity around the world to gauge availability and interest in testing COVID-19 vaccines or therapies.
 - WHO published [guidance](#) on COVID-19 convalescent plasma and on the importance of maintaining an adequate blood supply during the pandemic.

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

- [*CDC Creates COVID-19 Toolkits*](#), July 11
 - CDC re-organized COVID-19 resources into “toolkits” across several different sectors, including the [general public](#), K-12 [schools](#), [domestic travelers](#), [childcare programs](#) and summer camps, and [young adults](#).
 - CDC created a “toolkit” for [businesses](#) which synthesizes guidance on re-opening buildings, disinfecting transport vehicles, workplace testing strategies, and managing employee fatigue during the pandemic.
- [*COVIDView Weekly Surveillance Summary of U.S. COVID-19 Activity*](#), July 10
 - CDC summarized key COVID-19 disease indicators for the week ending July 4.
 - The national average of respiratory specimens testing positive for COVID-19 decreased slightly from the previous week from 9.2% to 8.8%, but increased in five surveillance regions: the northeast, southeast, south central, central, and midwest. The south central region reported the highest positivity rate with 16.8% of specimens testing positive for COVID-19.
 - The overall cumulative hospitalization rate is 107.2 per 100,000, up from 102.5 per 100,000 during the previous week. The highest rates were in people 65 years and older, at 316.9 per 100,000, up from 306.7 per 100,000.
 - Based on death certificate data, the percentage of total deaths attributed to pneumonia, influenza, or COVID-19 decreased from 6.9% to 5.5% from the prior week, but remained above baseline. Mortality is currently at the epidemic threshold but will likely increase as additional death certificates for deaths during recent weeks are processed.

New York State

- [*New York State COVID-19 Updates*](#), July 12
 - New York reported 5 deaths, 801 hospitalizations, and 174 COVID-19 patients in intensive care on Sunday, July 12.
 - Approximately 677, or 1.08%, of the 62,418 conducted in New York on July 11 were positive for COVID-19.
 - New York [sent](#) a shipment of remdesivir to Florida, as the state struggles with a resurgence of cases. The shipment will provide care for up to 280 COVID-19 patients until a federal shipment of remdesivir arrives in Florida.
 - New York [allowed](#) concession stands to re-open at State beaches this weekend, including Jones Beach, Robert Moses, Sunken Meadow, and Lake Welch in Harriman State Park. Visitors must adhere to social distancing guidelines and wear masks as appropriate.

- [*Some New York Nursing Homes and Long-Term Care Facilities Will Be Allowed to Resume Visitations*](#), July 10
 - New York State Department of Health (NYSDOH) announced that nursing homes and long term care facilities in New York will be allowed to resume limited visitations, beginning on July 15.
 - Facilities that have been free of COVID-19 for at least 28 days will be allowed a limited number of visitors each day in order to maintain proper social distancing.
 - Residents will be allowed two visitors at a time; visitors must undergo temperature checks, wear face coverings, and socially distance during the visit. At least one of the visitors must be 18 years old or older.
 - State Health Commissioner Zucker noted that the State will “continue to closely monitor the situation in each facility, and make adjustments based on the facts and data moving forward.”
 - One Oneida County official [remarked](#) that the rules are “pretty intense” and “finding a nursing home right now that’s had 28 days COVID-free is pretty difficult, almost impossible right now.”

New York City

- [*Daycare Centers in New York City Prepare to Re-Open Monday*](#), July 10
 - 3,000 child care centers across New York City will be allowed to re-open on Monday, July 13. A limited number of child care centers remained open during the pandemic to serve the children of essential workers.
 - Facilities will be required to check the temperature of all children entering the facility and institute mandatory face coverings for children over the age of two. No more than 15 children will be allowed in any room to encourage social distancing.
 - Mayor de Blasio recently commented that the pandemic has “been really, really tough for parents, so bringing back child care is crucial.”

Other Related Updates

- [*Nation's Pediatricians Emphasizes Safety When Re-Opening School*](#), July 10
 - American Academy of Pediatrics (AAP) issued a new [statement](#) on the resumption of in-person schooling in the fall. The statement was co-signed by American Federation of Teachers (AFT), National Education Association (NEA) and School Superintendents Association (AASA).
 - AAP previously issued [guidance](#) on re-opening schools and “strongly advocate[d] that all policy considerations for the coming school year should start with a goal of having students physically present in school.”
 - The new statement makes it clear that while in-person school provides crucial benefits to children, “public health agencies must make recommendations based on evidence, not politics.” The statement notes that “science and community circumstances must guide decision-making.”
 - The organizations emphasized that re-opening safely will require additional funding and called “on Congress and the administration to provide the federal resources needed to ensure that inadequate funding does not stand in the way of safely educating and caring for children in our schools.”
- [*Increased Demand for COVID-19 Tests Strains National Testing Capacity*](#), July 12
 - President of American Clinical Laboratory Association noted that “a significant increase in [testing] demand... in many cases is now exceeding the number of tests that the labs can perform in a single day.”
 - Assistant Health Secretary Giroir acknowledged that commercial labs are taking longer to compete non-emergency COVID tests and stated that, “I’m not saying [the nation’s testing system is] at [its] max [capacity] now, but we’re certainly pushing the frontiers.”
 - In Phoenix, Arizona, the region’s largest commercial lab, Sonora Quest, notes that most COVID test results take eight to nine days for non-hospital patients.
 - In Florida, hundreds of Tallahassee residents report waiting on line for hours outside of a football stadium, the city’s only public testing center; residents describe the scene as “a little apocalyptic.”
 - President of American Health Care Association noted that “the amount of time it is taking to receive testing results is hurting the ability of long term facilities to fight the virus.”
 - Public health experts expressed concern that the delay in test results delays efforts to isolate infected individuals and trace their contacts to prevent further spread.
- [*Department of Health COVID-19 Updates*](#), July 12
 - Department of Health and Human Services (HHS) [released](#) state testing plans for May and June. The plans detail state initiatives for reaching vulnerable populations such as minorities, immunocompromised individuals, and older adults. HHS provided feedback to each state; the feedback will be incorporated in the next round of state plans, due to CDC on July 10.
 - HHS [announced](#) additional financial support for health care providers affected by the pandemic. HHS provided an additional \$3 billion in relief payments for hospitals

serving a large percentage of vulnerable populations and \$1 billion for rural hospitals and hospitals in small metropolitan areas.

Other recent events covered in detail elsewhere:

- [COVID Public Nuisance Claims Are Coming: Opioid Litigation May Be A Model for the Next Wave of Public Health Litigation](#), July 10
- [Key Considerations for COVID-19 Emergency Triage Policies in Illinois](#), July 6

Send questions to:

- COVID-19-Implications@ropesgray.com
- COVID-19RecoveryPolicies@ropesgray.com