

# COVID-19 Daily Update

June 18, 2020

## Summary

The United States has 2,173,804 confirmed COVID-19 cases and 118,029 reported related deaths. Department of Labor reports that another 1.5 million workers filed initial claims for unemployment benefits last week. Transportation Security Administration reports that an average of 415,135 people a day were screened at U.S. airports in the first 16 days of June, close to four times the number screened in the same period in April but down more than 83% from the same period a year ago. White House Press Secretary McEnany described President Trump's upcoming rally in Oklahoma as "a safe opportunity to congregate." Tulsa Mayor Bynum warned that he cannot assure the health of rally-goers, some of whom have already started lining up outside the arena. Dr. Fauci commented that unless NFL players are "essentially in a bubble... it would be very difficult to see how football is able to be played this fall."

Former FDA Commissioner Gottlieb described the increase in cases and hospitalizations in many Southern and Western states as "outbreaks" on "the cusp of getting out of control." Several of these states recently instituted mandatory mask-wearing policies. Arizona Governor Ducey warned that Arizona "is heading in the wrong direction," and authorized local governments to require face coverings in public, reversing his earlier stance on masks. Oregon Governor Brown mandated masks for much of the State's population following a spike in some counties. Several Southern cities made masks compulsory in recent days, including Memphis, Montgomery, and Fayetteville. In Texas, the State's policies do not require mask and Governor Abbott previously expressed his belief in "individual responsibility" over "government mandates." The mayors of nine cities in Texas sent a letter to Governor Abbott asking for the authority to implement mask requirements.

Approximately 618, or .9%, of the 68,000 tests conducted in New York on June 17 were positive for COVID-19. Governor Cuomo is considering requiring travelers coming into New York from other states with higher infection rates, such as Florida, to quarantine for 14 days. Mayor de Blasio confirmed that the City will enter its second phase of re-opening on Monday, June 22. As many as 300,000 workers are expected to return to work in phase two, as outdoor dining, in-store shopping, hair salons, and office spaces re-open. City playgrounds will re-open, but team sports will remain prohibited in City parks. In July, the City plans to allow restaurant seating on 43 miles of streets closed to vehicle traffic. De Blasio predicted that the City's expanded outdoor dining plan would save 5,000 restaurants and 45,000 jobs. Governor Cuomo signed an executive order allowing the State to immediately shut down or suspend the liquor license of any business that fails to comply with re-opening guidelines. A second executive order will give bars the responsibility to limit the number of people gathered outside of their establishments.

## Presidential updates

- [President Trump Comments on COVID-19 In Wall Street Journal Interview](#), June 18
  - President Trump was interviewed by the Wall Street Journal.
  - The President stated that the country is nearing the end of the pandemic and expressed his belief that China may have intentionally encouraged the international spread of COVID-19 as a way to destabilize competing economies. The President stated that he had no intelligence to support this claim.
  - President Trump described COVID-19 testing as “overrated,” adding that more testing in the U.S. led to an increase in confirmed cases, and that “in many ways, it makes us look bad.”
  - The President suggested that some Americans wear facial coverings, not as a preventative measure against the virus, but as a way to signal their disapproval of Trump.
- [Press Briefing by Press Secretary Kayleigh McEnany](#), June 17
  - Press Secretary McEnany addressed President Trump’s upcoming campaign rally in Tulsa, Oklahoma.
  - McEnany described the rally as “a safe opportunity to congregate” despite the recommendation of Tulsa’s health director to postpone the event because of COVID-19 concerns. The City’s mayor has stated that he cannot assure the health of rally-goers, some of whom have already started lining up outside the arena.
  - When asked whether “the President or the White House take responsibility if people get sick” with COVID-19 at the rally, McEnany responded that the campaign would provide temperature checks, hand sanitizer, and masks.
  - McEnany described the decision to attend the rally as a “personal decision” to assume the risks associated with the event. The President recently [acknowledged](#) that attendees may catch the virus, but added that this would be “a very small percentage” of attendees.

## World Health Organization (WHO)

- [COVID-19 Situation Report – 149](#), June 17
  - WHO and UN leaders highlighted that older people are at a significantly increased risk of severe COVID-19 and [expressed](#) concern that the pandemic has silenced older people’s voices and revealed the high levels of ageism across society.
  - Pan American Health Organization (PAHO) [warned](#) that a majority of the reported COVID-19 cases in the Americas are in the United States (54%) and Brazil (23%). PAHO data shows “a concerning trend” towards high transmission in border areas between countries in the Americas.
  - PAHO [extended](#) its agreement with Twitter to provide factual and reliable information on the pandemic. Through the partnership, PAHO trains public health social media managers at Twitter. Twitter provides advertising credits to PAHO to disseminate evidence-based information on COVID-19.

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

- [CDC Updates COVID-19 Resources](#), June 17
  - CDC [consolidated](#) data from six models projecting the number of daily COVID-19 hospitalizations. National forecasts from two models suggest an increase in the number of daily hospitalizations over the next four weeks, while the other four models forecast declines. Predicted rates of increase differ among the forecasts, depending on assumptions about the prevalence and rigor of social distancing behaviors.
  - CDC updated [guidance](#) for dental settings during the pandemic. CDC now recommends that patients inform the dental clinic within 2 days if they develop symptoms or are diagnosed with COVID-19 following a dental appointment.
  - CDC issued an [FAQ](#) on how to prevent the spread of COVID-19 in correctional and detention facilities.

## **New York State**

- [Governor Cuomo Holds Press Conference on COVID-19](#), June 18
  - New York reported 29 deaths on Thursday, June 18 – a slight uptick from the 17 deaths reported on Wednesday.
  - Approximately 618, or .9%, of the 68,000 tests conducted in New York on June 17 were positive for COVID-19.
  - Governor Cuomo is considering requiring travelers coming into New York from other states with higher infection rates, such as Florida, to quarantine for 14 days.
  - Governor Cuomo signed an executive order allowing the State to immediately shut down or suspend the liquor license of any business that fails to comply with re-opening guidelines. A second executive order will give bars the responsibility to limit the number of people gathered outside of their establishments.

## **New York City**

- [Mayor de Blasio Confirms that City Will Enter Phase Two on June 22](#), June 18
  - Mayor de Blasio confirmed that New York City will enter phase two of its re-opening on Monday, June 22.
  - As many as 300,000 workers are expected to return to work as outdoor dining, in-store shopping, hair salons, and office spaces re-open. Metropolitan Transit Authority (MTA) expects over two million daily riders to use public transportation in phase two.
  - De Blasio repeated concerns that protests against systemic racism may have accelerated the spread COVID-19 but noted that officials have been encouraged by the “trend line” of test results and hospitalizations, which remained flat in recent weeks.
  - City playgrounds will re-open on Monday, but team sports remain prohibited in City parks, including basketball, soccer, and softball.
  - De Blasio asserted that “outdoor dining is the way forward.” In phase two, restaurants will be able to place seating on curbs and sidewalks adjacent to their restaurants. In July, the City plans to allow restaurant seating on 43 miles of streets closed to vehicle traffic. De Blasio predicted that the City’s expanded outdoor dining plan would save 5,000 restaurants and 45,000 jobs.

- [\*New York City Rent Guidelines Board Approves Stabilized Rent Freeze\*](#), June 17
  - New York City Rent Guidelines Board voted to freeze rent for the third time in seven years for the roughly 1 million rent-stabilized apartments in New York City.
  - The decision will freeze rent for 1-year leases and for the first year of 2-year leases; during the second year of a 2-year lease, landlords may increase rent by one percent. The changes go into effect on October 1 and will last through September 2021.
  - Mayor de Blasio [commented](#) that renters “desperately need relief” because of the hardships faced during the pandemic. De Blasio stated that “this is one step of many we have to take to get families through this crisis – but it’s a big one.”
- [\*City Launches COVID-19 Burial Assistance Initiative\*](#), June 17
  - City launched the Immigrant COVID-19 Burial Assistance Program to provide financial assistance to low-income immigrants, regardless of their legal status, for burial expenses for individuals who died during the pandemic.
  - Each family will receive up to \$1,700 in the form of pre-approval for the cost of a planned funeral or reimbursement for services that have already been paid.
- [\*Health Department Guidance on Telehealth for Behavioral Health Providers\*](#), June 17
  - New York City Department of Health (NYCDOH) issued [guidance](#) on telehealth best practices for behavioral health providers during the pandemic.

### **Other Related Updates**

- [\*Department of Labor Unemployment Insurance Weekly Claims Report\*](#), June 18
  - Department of Labor (DOL) reports that another 1,508,000 workers filed initial claims for unemployment benefits last week.
  - More than 45 million workers have filed for unemployment benefits over the last thirteen weeks. Initial applications for unemployment insurance have steadily declined for twelve weeks, from a record 6.9 million claims in late March.
  - 760,526 new claims were filed for Pandemic Unemployment Assistance, the federal program intended to help freelancers, gig workers, the self-employed, and others not normally eligible for state jobless benefits.
- [\*Challenges of “Return to Work” in an Ongoing Pandemic\*](#), June 18
  - An article published in the New England Journal of Medicine, identifies the major public health challenges faced by private entities in resuming on-site operations and explores ways in which this might be done most effectively, consistent with applicable regulations.
  - The article addresses “low-tech” prevention measures, such as frequent hand washing, mask use, and social distancing, and using environmental and engineering controls to enhance infection control, such as placing partitions between workers, adhering to standards for ventilation systems, and reducing personnel density through staggered work schedules. The article further discusses travel policies, COVID-19 testing, and contact tracing.

- [Genome Association Study of Severe Covid-19 with Respiratory Failure](#), June 17
  - A study, published in the New England Journal of Medicine, found that patients with blood type A are at increased risk for COVID-19-induced respiratory failure compared to other blood groups.
  - Researchers compared the genomes of roughly 1,600 people with severe COVID-19 in Italy and Spain with over 2,200 uninfected population-based controls.
  - Two chromosomal loci, positions on chromosomes where a particular genetic marker is located, were associated with COVID-19-induced respiratory failure.
  - One chromosomal locus coincided with the ABO blood group locus, which determines an individual's blood type. Blood type A was associated with a 45% increased risk for COVID-19 respiratory failure, while blood type O was associated with a 35% lower risk, relative to other blood groups.
  
- [FDA COVID-19 Update: Daily Roundup](#), June 17
  - FDA issued [warning letters](#) to three companies for selling COVID-19 antibody test kits directly to consumers for at-home use without marketing approval, clearance, or authorization from the FDA.
  - FDA approved an [application](#) to produce generic succinylcholine chloride injection to facilitate tracheal intubation and to induce skeletal muscle relaxation during mechanical ventilation.
  - FDA published [guidance](#) on statistical considerations for clinical trials during the pandemic.
  
- [IRS Outlines Changes to Health Care Spending Available Under CARES Act](#), June 17
  - Internal Revenue Service (IRS) highlighted available health care spending flexibility under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, for telehealth, remote care services, and qualified medical expense reimbursements.

Other recent events covered in detail elsewhere:

- [2021 Medicare Parts C and D Final Rule: Enhancing Coverage for ESRD and Easing Network and MLR Standards](#), June 17
- [4 Telehealth Concerns For Care Management After COVID-19](#), June 16
- [Anti-Corruption in Brazil During COVID-19: A Conversation with Officials from the Federal Prosecution Service and the Brazilian Office of the Comptroller General](#), June 16
- [How Companies Can Avoid Patent Venue Pitfalls Of Remote Work](#), June 15

Send questions to:

- [COVID-19-Implications@ropesgray.com](mailto:COVID-19-Implications@ropesgray.com)
- [COVID-19RecoveryPolicies@ropesgray.com](mailto:COVID-19RecoveryPolicies@ropesgray.com)