

COVID-19 Daily Update

June 28, 2020

Summary

The United States has 2,539,544 confirmed COVID-19 cases and 125,714 reported related deaths. There are now more than 10 million reported COVID-19 cases worldwide. Vice President Pence canceled campaign events in Florida and Arizona “out of an abundance of caution” as cases spike in the two states. The move comes after several campaign staffers, secret service members, and a journalist tested positive for COVID-19 while working at President Trump’s rally in Tulsa last weekend. Department of Justice issued an alert on “mask exempt cards” which have been circulating online. The cards falsely claim that its holder is exempt from wearing a mask because doing so will cause mental or physical risk for the holder. The cards invoke the Americans with Disabilities Act and threaten penalties for business owners that do not comply.

Texas Governor Abbott announced that the virus has taken a “swift and dangerous turn” in Texas. Abbott expressed his belief that bars are “one of the most dangerous spreaders of COVID-19.” More than 13% of COVID-19 tests in Texas are positive for COVID-19, up from 4% one month ago. In Los Angeles County, the positivity rate is 9%, up from 5.8% two weeks ago. In Arizona, the positivity rate has averaged above 20% over the last week. Miami-Dade County Mayor Gimenez issued an executive order closing area beaches over the July Fourth weekend due to a surge of COVID-19 cases in Florida. The order also bans gatherings of more than 50 people “for whatever reason;” the closure may be extended if conditions do not improve.” Testing sites in Arizona report overcrowding. On Friday, June 26, Arizona’s largest laboratory received twice as many samples as it could process. People seeking drive-up COVID-19 tests in Phoenix have faced lines up to three miles long.

Approximately 616, or .99%, of the 61,906 tests conducted in New York on June 27 were positive for COVID-19. Governor Cuomo issued an executive order mandating that State employees will not be eligible for paid sick leave benefits under New York’s COVID-19 paid sick leave law, if they voluntarily travel to any state “with a positive test rate higher than 10 per 100,000 residents, or higher than a 10% test positivity rate, over a seven day rolling average.” The order currently encompasses Alabama, Arkansas, Arizona, Florida, North Carolina, South Carolina, Texas, and Utah. New York State Department of Health is investigating potential new COVID-19 clusters in the State, stemming from a drive-in high school graduation ceremony in Westchester, an apple packaging plant in Oswego County, and an aluminum manufacturing plant in Montgomery County. Quarantine measures are in place for all positive cases and known contacts.

Presidential updates

- [*Vice President Attributes Increased COVID-19 Cases to Increased Testing*](#), June 28
 - Vice President Pence continued to attribute the country's sharp rise in COVID-19 cases to increased testing initiatives. Pence stated that "I know there's a temptation to associate the new cases in the Sunbelt with re-opening," but noted that "states like Florida and like Texas actually began to open up in early May" and haven't seen "any significant movement" for "the better part of six weeks."
 - Former CDC Director Frieden highlighted that the percentage of positive tests for COVID-19 has increased in several states. Director Inglesby of the Johns Hopkins Bloomberg Center for Health Security, suggested that rising positivity rates "should make public health officials and political leaders very concerned, and should make them really reconsider the policies that are in place."

World Health Organization (WHO)

- [*WHO COVID-19 Situation Report – 160*](#), June 28
 - WHO plans to [hold](#) its first Infodemiology Conference on June 29. An infodemic is an overabundance of information—some accurate and some not—occurring during an epidemic. An infodemic often makes it difficult to find trustworthy sources and reliable guidance.
 - WHO published interim [guidance](#) on rapid hospital readiness and an accompanying checklist [tool](#), to monitor operational readiness capacity in hospitals and identify gaps that require investment and action.

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

- [*COVIDView Weekly Surveillance Summary of U.S. COVID-19 Activity*](#), June 26
 - CDC summarized key COVID-19 disease indicators for the week ending June 20.
 - The national percentage of respiratory specimens testing positive for COVID-19 increased slightly from the previous week from 6.5% to 7.6%. The national increase was driven by increases in seven surveillance regions. Three regions reported more than 10% of specimens testing positive for COVID-19, including the southeast, south central, and south west.
 - The overall cumulative hospitalization rate is 98.4 per 100,000, with the highest rates in people 65 years and older (297.6 per 100,000) and 50-64 years (148.6 per 100,000).
 - Based on death certificate data, the percentage of total deaths attributed to pneumonia, influenza, or COVID-19 decreased from 9.5% from the prior week to 6.9%, but remained above baseline.
- [*Article on Precision in Implementation Science in the Age of COVID-19*](#), June 26
 - CDC published an article on improving implementation science during the pandemic.
 - Implementation science is "the study of methods to promote the adoption and integration of evidence-based practices, interventions, and policies into routine health care and public health settings to improve the impact on population health."
 - CDC highlighted three major areas of integration between implementation science and the COVID-19 pandemic: (1) how implementation science concepts can help the health care and public health communities understand COVID-19; (2) how implementation

scientists can help respond to COVID-19; and (3) the lessons implementation science can learn from COVID-19.

- [CDC Publishes Updated COVID-19 Guidance](#), June 27
 - CDC published [considerations](#) for restaurants and bars during the pandemic.
 - CDC highlighted a [standardized procedure](#) for health care providers to implement broad-based COVID-19 testing in congregate settings.

New York State

- [New York Publishes Updated COVID-19 Metrics](#), June 28
 - New York reported 5 deaths, 869 total COVID-19 hospitalizations, and 229 COVID-19 patients in intensive care on Sunday, June 28.
 - Approximately 616, or .99%, of the 61,906 tests conducted in New York on June 27 were positive for COVID-19.
 - Governor Cuomo attributed New York’s success to its “data-driven re-opening” and urged residents to “remain vigilant or the numbers will shoot right back up.”
- [Governor Cuomo Issues Executive Order on Employee Eligibility for COVID-19 Paid Sick Leave](#), June 28
 - Governor Cuomo issued an executive order mandating that State employees will not be eligible for paid sick leave benefits under New York’s COVID-19 paid sick leave law if they voluntarily travel to any state “with a positive test rate higher than 10 per 100,000 residents, or higher than a 10% test positivity rate, over a seven day rolling average.”
 - The order currently encompasses Alabama, Arkansas, Arizona, Florida, North Carolina, South Carolina, Texas, and Utah.
 - The order goes into effect on June 25. Employees traveling as part of their employment or at the direction of their employer are exempt from this provision.
 - This provision mirrors an existing order that makes State employees ineligible for paid sick leave if they travel to any country designated as having a level two or three travel health notice from the Centers for Disease Control and Prevention.
 - Governor Cuomo commented on the order that “if we are going to maintain the progress we’ve seen, we need everyone to take personal responsibility.”
- [Investigation of Potential COVID-19 Spread in Westchester County](#), June 27
 - New York State Department of Health (NYSDOH) is investigating potential COVID-19 exposure at a drive-in high school graduation ceremony at Chappaqua Train Station in Westchester County.
 - A student, who had recently traveled to Florida, attended the ceremony on June 20 and subsequently tested positive for COVID-19.
 - Since then, four individuals who attended the ceremony and had contact with the first positive case have tested positive. The student also participated in a non-school related “Field Night” event on June 20, which was attended by students from surrounding school districts.
 - Individuals who attended the graduation ceremony, Field Night event, or events associated with the graduation, have been asked to self-isolate until July 5.

- [Health Department Investigates Two COVID-19 Clusters in Upstate New York](#), June 26
 - NYSDOH discovered two clusters of COVID-19 cases in upstate New York.
 - The first cluster is at an apple packaging plant in Oswego County where 82 out of 179 employees have tested positive for COVID-19.
 - The second cluster is at an aluminum manufacturing plant in Montgomery County, where 37 out of 200 employees have tested positive. The infections were associated with one shift and one of the two buildings on the premises.
 - Quarantine measures are in place for all positive cases and known contacts. Both facilities remain closed as the cluster is further investigated and contained.

- [Governor Cuomo Comments on Federal Response to COVID-19 Pandemic](#), June 26
 - Governor Cuomo commented on the federal government’s response to the pandemic.
 - Cuomo urged leaders to “depoliticize” the virus, and take action “based on data.” The Governor stated that “until we are willing to get smart and look at facts and look at science, this virus is going to kill more people.”
 - Cuomo expressed frustration at the lack of “national strategy” and “national leadership.” Cuomo expressed disappointment that the White House coronavirus task force has not been briefing the public on a more regular basis.
 - Governor Cuomo pushed back against claims that increased testing accounts for the current rise in COVID-19 cases across the country – especially in states that moved to re-open early. Governor Cuomo highlighted that the number of hospitalizations and deaths from COVID-19 are both rising.

New York City

- [City Health Department Updates Re-Opening Guidance](#), June 28
 - New York City Department of Health (NYCDOH) updated its re-opening guidance.
 - Businesses can use the New York Forward Business Re-opening [Lookup Wizard](#) to determine their eligibility to re-open, including any restrictions that may apply.
 - The City entered phase one on June 8. NYCDOH updated guidance for the following phase one businesses: [construction](#), [retail](#), [manufacturing](#), and [wholesale trade](#). State guidance on phase one is available [here](#).
 - The City entered phase two on June 22. NYCDOH updated guidance for the following phase two businesses: [commercial building management](#), [in-store retail](#), [hair salons](#), [real estate services](#), [outdoor dining](#), and [vehicle sales](#). State guidance on phase two is available [here](#).
 - The City is on-track to enter phase three on July 6. NYCDOH updated guidance for the following phase three businesses: [food service](#), [beach operators](#), and [personal care services](#). State guidance on phase three is available [here](#).
 - NYCDOH published [frequently asked questions](#) for office-based businesses. The guidance covers: physical distancing measures; employee screening, testing, and contact tracing; the use of face coverings in the workplace; employee training; visitor policies; and cleaning protocols.
 - NYCDOH guidance noted that the strong air movement across spaces from air conditioning units or fans may move viral droplets beyond six feet. NYCDOH recommends steps to avoid virus transmission by improving ventilation.

- [City Plans for Expanded Outdoor Restaurant Seating](#), June 26
 - Mayor de Blasio announced expanded seating options for restaurants on select restaurant corridors throughout the five boroughs.
 - Ten to twenty corridors citywide will be open to pedestrians and approved for expanded street dining by July 4. Another ten to twenty corridors will be approved starting on July 17.
 - Expanded seating will be available from 5 PM to 11 PM on Friday nights, and from noon to 11 PM on Saturdays and Sundays. Expanded seating will last until Labor Day.
- [Mayor de Blasio Highlights Re-Opening Assistance](#), June 26
 - Questions concerning re-opening procedures should be directed to the City’s Small Business Services (SBS) [hotline](#) at 888-SBS-4NYC.
 - SBS has distributed five million face coverings to business, and will continue to distribute an additional 2.5 million face coverings. Small businesses with fewer than 100 employees interested in securing free face coverings can locate a distribution site [here](#).
 - Workers should call Department of Consumer and Worker Protection at 311 with questions about re-opening, health and safety guidelines for the workplace, or to report an employer that is not following re-opening requirements.

Other Related Updates

- [Justice Department Issues Warning About Fake Mask Exempt Cards](#), June 27
 - “Mask exempt cards” have been circulating online in recent days. The cards falsely claim its holder is lawfully exempt from wearing a mask. The cards purport to carry the authority of the “Freedom to Breathe Agency,” which is neither a federal nor a state agency.
 - The cards state that wearing a mask will cause mental or physical risk for the holder. The card also posits that the Americans with Disabilities Act (ADA) forbids raising questions about the health condition aggravated by mask usage. Penalties are threatened if a business owner does not act accordingly.
 - Department of Justice (DOJ) issued an [alert](#) regarding “postings or flyers on the internet regarding the Americans with Disabilities Act (ADA) and the use of face masks due to the COVID-19 pandemic, many of which include the Department of Justice’s seal.”
 - DOJ stated that “these postings were not issued by the Department and are not endorsed by the Department.”
- [Judge Orders ICE To Free Detained Immigrant Children Because Of COVID-19](#), June 26
 - Citing the spread of COVID-19, a federal judge in California ordered that all children currently held in U.S. Immigration and Customs Enforcement (ICE) custody for more than 20 days must be released by July 17.
 - The order applies to all three of the family detention facilities in the United States; two are located in Texas, and a third is in Pennsylvania.
 - The judge stated that “the Court is not surprised that [COVID-19] has arrived at both the [Family Residential Centers] and [Office of Refugee Resettlement] facilities, as health professionals have warned all along.”

- [Retrospective Study of Tocilizumab in Patients With Severe COVID-19](#), June 26
 - A study, published in The Lancet Rheumatology, assessed the role of tocilizumab in reducing the risk of invasive mechanical ventilation and death in patients with severe COVID-19 pneumonia. Tocilizumab is monoclonal antibody that modifies the immune system and its functioning.
 - Researchers in Italy examined 544 patients with severe COVID-19 pneumonia. All patients were treated with the standard of care, and 179 patients also received tocilizumab.
 - 20% of patients in the standard care group died, compared with 7% of patients treated with tocilizumab. Tocilizumab treatment was also associated with a reduced risk of invasive mechanical ventilation.
 - The study notes, however, that tocilizumab was associated with new-onset infections. 13% of patients treated with tocilizumab were diagnosed with new infections, compared to 4% of patients treated with standard of care alone.

- [Department of Labor Announces Wage and Hour Division Openings](#), June 26
 - Department of Labor's (DOL) Wage and Hour Division (WHD) announced plans to hire 55 additional investigators to support its efforts to assist employers and ensure compliance with federal requirements.
 - DOL noted that more than 60 million workers are eligible for relief under the paid sick leave and expanded family and medical leave protections in the Families First Coronavirus Response Act (FFCRA).

- [FDA COVID-19 Update: Daily Roundup](#), June 26
 - FDA issued a [warning letter](#) to one company for selling topical hypochlorous acid-containing products with misleading claims that the product can mitigate, prevent, treat, diagnose, or cure COVID-19 in people.
 - FDA updated [templates](#) for laboratories and commercial manufacturers to facilitate submission of emergency use authorization (EUA) requests for serology tests.

Other recent events covered in detail elsewhere:

- [Private Fund Sponsors: Return to Work Considerations](#), June 25
- [SEC Staff Supplements Its COVID-19 Disclosure Guidance](#), June 25
- [COVID-19 FAQs](#), June 23

Send questions to:

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