

March 22, 2021

Summary

The United States has 29,839,376 confirmed COVID-19 cases and 542,605 reported related deaths. On Friday, only 58 days after his inauguration, President Biden met his goal of distributing 100 million COVID-19 vaccine doses during his first 100 days in office. Biden is now considering setting a new goal: 200 million doses in his first 100 days. Democratic lawmakers and advocacy groups are pressuring Biden to support a request from 57 countries and World Trade Organization to waive patent protections on COVID-19 vaccines. Advocates argue the waiver will ensure timely production and distribution of vaccines across the world. So far, Biden has resisted these efforts.

AstraZeneca has released the results of its large-scale advanced trial in the U.S., reporting that its vaccine is 79% effective and has no safety concerns. It plans to apply for emergency use authorization next month. CDC has updated its recommendation for in-person education, now saying that three feet, as opposed to six feet, of distance between children at school is sufficient to prevent the spread of COVID-19 in most instances. CDC's director is also sounding the alarm on another surge unless Americans continue to practice safety measures, like masking and distancing.

COVID-19 cases continue to decline nationwide. The current seven-day average of daily cases is 53,200, down 78.7% since the January peak. The current seven-day average of new hospitalizations is 4,696 per day, and the seven-day average of new deaths is 1,025 per day. Meanwhile, nearly a quarter of the U.S. population has received at least one dose of vaccine.

New York reported 46 deaths, 4,470 hospitalizations, and 885 COVID-19 patients in intensive care on Sunday, March 21. Approximately 6,361, or 3.29% of the 152,328 tests administered in New York on March 21 were positive for COVID-19. As of March 21, New York has administered 7,737,230 doses of the vaccines to patients. 26.1% of New York residents have received at least one dose of the vaccines and 13.4% are fully vaccinated. On March 22, Governor Cuomo expanded vaccine eligibility to include all residents 50 years and older. On March 21, New York State released guidance allowing pharmacies to begin vaccinating those with comorbidities—an expansion from previous restrictions that only allowed vaccination of those 60 years or older and teachers. Beginning April 1, New York State will allow large outdoor stadiums (that hold 10,000 people or more) to reopen at 20% capacity, and allow smaller venues (that hold 1,500 people indoors or 2,500 people outdoors) to reopen at 10% indoors and 20% outdoors.

U.S. Government Updates

- [*Biden Eyes New Goal after US Clear 100 Million Shots Since January 20*](#), March 19
 - On Friday, Biden met his goal of distributing 100 million COVID-19 vaccine doses by his 100th day in office. He met this goal more than a month before the target date.
 - Now, he is considering setting a goal of 200 million vaccine doses before his 100th day in office. “We may be able to double it,” Biden told reporters.
 - Currently, about 2.5 million shots are being administered each day in the United States.
- [*Biden Faces Pressure from Democrats to Waive Patent Protections on Vaccines*](#), March 21
 - Democratic lawmakers and advocacy groups are pressuring Biden to support a request from 57 countries and World Trade Organization (WTO) to waive patent protections on COVID-19 vaccines. So far, Biden has resisted these efforts.
 - The initiative to waive patent protections, which was spearheaded by India and South Africa, seeks to ensure that billions of people in developing countries can access COVID-19 vaccines in a timely manner by allowing manufactures to copy the vaccine formulas and thus produce doses. Without such action, experts predict the world’s population will not be vaccinated until late 2023 or 2024. This timeline gives the virus years to mutate while circulating through the global population.
 - Drug companies widely oppose the move, as do many developed countries that are home to major pharmaceutical companies, including the United States, the United Kingdom, Canada, and the European Union. Opponents say patent protections are key to the rapid development of vaccines and that undermining such protections will discourage manufacturers from taking the economic risk to produce vaccines in response to future pandemics.
 - Notably, the United States has given drug companies \$20 billion in subsidies to [minimize](#) their risks in developing COVID-19 vaccines. Other countries have similarly used funding to de-risk vaccine production.
 - The next WTO meeting will take place in April.

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

- [*COVID Data Tracker Weekly Review*](#), March 19
 - CDC summarized key COVID-19 disease indicators for the previous week.
 - As of March 17, the seven-day average number of daily cases reported was 53,200. This is a 3% decrease compared to the prior week’s average and an overall 78.7% decrease compared to the national peak on January 11, 2021.
 - As of March 18, 115.7 million vaccine doses have been administered in the United States. Overall, approximately 75.5 million people have received at least one dose of vaccine, which is 22.7% of the population. Approximately 41 million people are fully vaccinated, which is 12.3% of the population. The seven-day average number of reported vaccine dose administrations was 2.5 million, a 12.1% acceleration compared to the previous week.
 - As of March 16, the current seven-day average of new hospitalizations is 4,696 per day, a decrease of 4.2% compared to the prior week’s average.
 - As of March 17, the current seven-day average of reported deaths is 1,025 per day, a 30.6% decrease compared to the prior week’s average.

- [Updated CDC Guidance Says 3 Feet of Physical Distancing is Safe in Schools](#), March 19
 - CDC has updated its [guidance](#) on safe K-12 school [operations](#) for in-person learning. It now recommends that most students maintain at least three feet of distance. Previously, it recommended at least six feet of distance between children.
 - For middle and high school students in areas of high community transmission, CDC still recommends six feet of physical distance.
 - CDC's decision to review and update the recommendation was prompted by a March 10 study [published](#) in the journal Clinical Infectious Diseases, which looked at more than half a million students in Massachusetts, where school districts were given a choice between adopting a six- or three-foot rule.
 - The move is significant, as it will [allow](#) many more schools to open in person full time. The challenges of the previous six-foot guidance often caused schools to implement part-time or hybrid systems when opening back up for in-person learning.
- [A Spring Surge Could Be Near, CDC Warns](#), March 22
 - Although nearly one-quarter of the U.S. population has received at least one vaccine dose, CDC Director Dr. Rochelle Walensky warned that another surge could be coming.
 - In particular, she said she was concerned that new cases and hospital admissions in some areas, such as the Northeast and Upper Midwest, are starting to level off and even increase slightly in some places, compared to a consistent decline throughout January and February.
 - To prevent another surge, Dr. Walensky recommends Americans continue to wear masks, socially distance, and adhere to other restrictions.

New York State

- [New York State COVID-19 Updates](#), March 22
 - New York reported 46 deaths, 4,470 hospitalizations, and 885 COVID-19 patients in intensive care on Sunday, March 21, 2021.
 - Approximately 6,361, or 3.29% of the 152,328 tests administered in New York on March 21 were positive for COVID-19.
 - As of March 21, New York has administered 7,737,230 doses of the vaccines to patients. 26.1% of New York residents have received at least one dose of the vaccines and 13.4% are fully vaccinated.
 - On March 21, New York State [released](#) new guidance allowing pharmacies to vaccinate New Yorkers with comorbidities. Previously, New York allowed pharmacies to vaccinate only residents over the age of 60 and teachers.
 - On March 20, New York State [identified](#) its first case of the COVID P.1 variant, commonly referred to as the Brazilian variant, in a New York State resident. New York State Department of Health is working with New York City Department of Health and Mental Hygiene to learn more information about the patient and identify contacts.
 - As of March 19, New York Forward COVID-Safe Offices will [collaborate](#) with commercial real estate landlords to expand employers' access to COVID-19 testing. As part of this initiative, 21 participating landlords have committed to providing space and facilitating access to testing services for commercial tenants interested in regular testing of their employees. In New York City, eight landlords (representing more than 100

million square feet of commercial office space) have already committed to participate in the program.

- On March 19, Reimagine New York Commission [launched](#) ConnectED NY—an emergency fund to provide approximately 50,000 students in economically disadvantaged school districts with free internet access through June 2022. In making the announcement, Governor Cuomo said “[i]nternet access is an essential utility in the 21st century — a new reality that has only been highlighted by the COVID-19 pandemic — and we have a responsibility to ensure our students have the access they need to continue learning during this public health crisis”
- [New York Yankees and Mets to Start the Season with Fans in the Stands](#), March 18
 - Beginning April 1, New York State will allow large outdoor stadiums (that hold 10,000 people or more) to reopen at 20% capacity. Attendees must show proof of a recent, negative COVID-19 test or completed vaccination prior to entry, and the event will remain subject to State guidance on face coverings, social distancing, and health screening.
 - New York State Department of Health will re-evaluate the testing and vaccination entry requirements in May. New York State will continue to administer COVID-19 vaccines at Yankee Stadium and Citi Field during the MLB season.
 - New York State will also allow smaller venues (that hold 1,500 people indoors or 2,500 people outdoors) to reopen beginning April 1. Initial capacity of these venues must be limited to 10% indoors and 20% outdoors. Furthermore, attendees must show proof of a recent, negative COVID-19 test or completed vaccination prior to entry, and the event will remain subject to State guidance on face coverings, social distancing, and health screening.

New York City

- [New York City COVID-19 Updates](#), March 22
 - On March 22, nearly 20% of New York City’s high-school students will [resume](#) in-person learning—some for the first time in over a year. To ensure a safe reopening, New York City hired additional coronavirus-testing staff, and opened buildings to school employees on March 18 and 19 to prepare their facilities for students.
 - On March 20, City [authorities](#) shut down an illegal nightclub, with hundreds of people inside, operating out of a building in TriBeCa. Authorities commented that the organizers did not have a liquor license and were selling alcohol to minors.

Vaccines and Therapeutics

- [AstraZeneca: US Data Shows Vaccine Effective for All Adults](#), March 22
 - AstraZeneca has released the long-anticipated results of its U.S. study of its vaccine’s effectiveness and safety.
 - The company [reports](#) that the vaccine was 79% effective at preventing symptomatic cases of COVID-19, including in older adults, with no safety concerns. Of the 30,000 people who participated in the study, there were zero severe illnesses or hospitalizations among vaccinated volunteers, compared with five such cases in participants in the control group who received a placebo.

- AstraZeneca also said that the study’s independent safety monitors found no serious side effect, including no increased risk of rare blood clots like those reported in Europe.
- While several countries have paused distribution of the AstraZeneca vaccine due to the reported blood clots, Europe’s drug regulator, European Medicines Agency, recently [confirmed](#) that the vaccine is safe and does not increase the risk of blood clots. But because there remain “some uncertainties,” the agency said that a new warning label will be added to the vaccine so that providers can be on the lookout for the potential rare complication leading to blood clots.
- AstraZeneca [indicated](#) that it would apply for U.S. Food and Drug Administration (FDA) emergency use authorization during the first half of April.

International

- [India](#) is battling a second wave of COVID-19 infections centered in Maharashtra, home to Mumbai. Today, the Indian government reported almost 47,000 new cases, the most since early January.
- [Turkey](#) is likewise battling a spike in infections that health officials are attributing to the more contagious COVID-19 variant first identified in the United Kingdom.
- The leading opposition candidate for president in the [Republic of Congo](#) died from COVID-19 one day after national elections. Current President Denis Sassou N’Guesso is expected to win another term after 36 years in power.
- [Taiwan](#) kicked off its vaccination campaign on Monday. The country has been slow to vaccinate in great part because it has successfully contained the virus; only 10 people on the island of 24 million have died from COVID-19.
- Chinese company CanSino said today that [Hungary](#) has approved its COVID-19 vaccine for emergency use. Hungary is also using a Sinovac vaccine and Russia’s Sputnik V.
- [Norway](#) reported two more people have died after receiving AstraZeneca’s vaccine, while [Denmark](#) said two people who had the shots experienced brain hemorrhages. Last week, European Medicines Agency said the vaccine was safe for use, but [European](#) confidence in the vaccine has plummeted.
- [United Arab Emirates](#) is offering some people who had a low immune response to the first two doses of Sinopharm’s vaccine a third shot. The news has reignited questions about the vaccine’s efficacy. Sinopharm has not release detailed Phase 3 clinical data for the product.
- [German](#) Health Minister Jens Spahn is warning citizens to carefully follow COVID-19 guidance and restrictions. Europe, he said, does not have enough vaccine doses to thwart a third wave of infections.

Other Updates

- [*Miami Beach, Overwhelmed by Spring Break, Extends Its Emergency Curfew*](#), March 22
 - Miami Beach, which has attracted scores of spring-break revelers throughout March, has declared a state of emergency and imposed a curfew for three weeks. From 8 p.m. to 6 a.m., Ocean Drive will close to all pedestrians except residents, hotel guests, and employees of local businesses.
 - The announcement follows a skirmish on Saturday night during which police officers used pepper balls to disperse large crowds of unmasked partiers.
 - Miami Beach officials said the city has attracted many young people because it has relatively few pandemic restrictions and hotels and flights have been highly discounted.

- Miami-Dade County, which includes Miami Beach, experienced one of the nation's worst COVID-19 outbreaks, and Florida is thought to have the highest concentration of the more contagious virus variant first found in the United Kingdom.
- [*Overseas Spectators Will Be Banned from Tokyo Olympics*](#), March 20
 - Organizers for the Tokyo Olympics have banned international fans from the events, which are scheduled for this July and August, due to COVID-19 concerns.
 - “Based on the present situation of the pandemic, it is highly unlikely that entry into Japan will be guaranteed this summer for people from overseas,” said the Olympic organizing committee in a statement. “In order to give clarity to ticket holders living overseas and to enable them to adjust their travel plans at this stage, the parties on the Japanese side have come to the conclusion that they will not be able to enter into Japan at the time of the Olympic and Paralympic Games.”
 - Overseas fans who purchased tickets will receive refunds.
 - A recent poll of Japanese residents found that 80% think the games should be cancelled or postponed.

Other recent events covered in detail elsewhere:

- [Key Employee Benefit Provisions of the American Rescue Plan Act of 2021](#), March 19
- [IRS and DOL Issue Separate COVID-19-Related Benefit Plan Guidance for Employee Benefit Plans and Plan Participants: Take Note of Opportunities and Deadlines](#), March 2

Send questions to:

- COVID-19-Implications@ropesgray.com