

COVID-19 Daily Update

May 4, 2020

Summary

The United States has 1,171,041 confirmed COVID-19 cases and 68,285 reported related deaths. President Trump estimated that the United States could reach 100,000 deaths. According to an official document obtained by the New York Times, CDC projects a steady rise in the number of COVID-19 cases and deaths. CDC expects that the United States will have 200,000 new COVID-19 cases per day by the end of May, up from the current level of about 25,000 daily cases. The full Senate reconvened for the first time in a month to restart the process of confirming federal judges and Trump administration nominees. Masks were encouraged but not required. The House, citing health risks, will not meet this week. The Supreme Court conducted oral arguments remotely on Monday and livestreamed audio for the first time.

At least six more states allowed certain businesses to re-open on Monday, May 4, including Indiana, Kansas, Missouri, Nebraska and West Virginia. In Florida, restaurants, stores, museums and libraries are allowed to re-open with fewer customers, except in the most populous counties. Arkansas opened fitness centers and indoor athletic facilities, while Montana opened bars, casinos, restaurants, and breweries. Carnival Corporation announced plans to re-open cruising on eight ships in North America before the end of the summer. Many public health experts continue to caution against re-opening too soon. An infectious disease specialist at Johns Hopkins University asserted that “the fact remains that the vast majority of Americans have not been exposed to the virus, there is not immunity, and the initial conditions that allowed this virus to spread really quickly across America haven’t really changed.”

All New Jersey public and private schools will remain closed for the rest of the academic year. The decision follows similar steps taken by neighboring New York and Pennsylvania. New York reported 226 deaths on Monday, the lowest one-day death toll since March 28. Governor Cuomo highlighted requirements that any New York State region must meet before it can re-open, including: (1) a 14-day decline in hospitalizations, or under 15 hospitalizations per day; (2) a 14-day decline in virus-related hospital deaths, or under five deaths per day; (3) the rate of new hospitalizations is below 2 per 100,000 residents; (4) at least 30% of hospital beds and ICU beds are available; and (5) the region has at least 30 contact tracers per 100,000 residents. Governor Cuomo acknowledged that some parts of the State would likely re-open sooner than others, and noted that “if upstate has to wait for downstate to be ready, they’re going to be waiting a long time.”

General/Employer Guidance

Presidential updates

- [Remarks by President Trump in a Fox News Virtual Town Hall](#), May 3
 - President Trump increased his prediction of the country's COVID-19 death toll and stated that "we're going to lose anywhere from 75,000, 80,000 to 100,000 people."
 - The President accused China of orchestrating a cover-up that allowed COVID-19 to "spread all over the world." The Department of Homeland Security recently released a [report](#) asserting that Chinese leaders "intentionally concealed the severity" of the pandemic to buy more time to import and hoard personal protective equipment.
- [Pence Comments on Lack of Mask at Mayo Clinic Visit](#), May 3
 - During a recent [media appearance](#), Vice President Pence stated that he "didn't think it was necessary," but that he "should have worn a mask at the Mayo Clinic."
 - Vice President Pence faced widespread criticism for failing to adhere to the Clinic's mask policy during his visit last week. Pence did not wear any face covering as he toured the virology laboratory's labeling area and spoke to a clinic staff member who had recovered from COVID-19. Two days later, Pence wore a mask while visiting a General Motors plant to oversee ventilator production.

World Health Organization (WHO)

- [WHO Director-General's Opening Remarks at COVID-19 Media Briefing](#), May 4
 - The European Commission hosted the COVID-19 Global Response International Pledging Event and raised €7.4 billion for the development, production, and equitable distribution of COVID-19 vaccines, diagnostics, and therapeutics.
 - WHO noted that several countries have begun easing stay-at-home orders but stressed that "our common commitment to basic measures such as cleaning hands and physical distancing cannot be relaxed."

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

- [Internal CDC Model Projects about 3,000 Daily COVID-19 Deaths by June 1](#), May 4
 - According to an internal document obtained by the New York Times, CDC projects a steady rise in the number of COVID-19 cases and deaths over the next several weeks.
 - CDC forecasts that the United States will have 200,000 new COVID-19 cases per day by the end of May, up from the current level of about 25,000 daily cases. CDC further projects 3,000 deaths per day by June 1, nearly doubling the current death rate of 1,750 deaths per day.
- [Clinical Care Guidance on COVID-19 for Health Care Professionals](#), May 3
 - CDC highlighted that most people with COVID-19 will experience the following symptoms: fever (83–99%); cough (59–82%); fatigue (44–70%); shortness of breath (31–40%); and sputum production (28–33%).
 - Symptomatic COVID-19 patients may discontinue self isolation under the following conditions: (1) at least three days have passed since the resolution of any fever; (2) any respiratory symptoms have improved; and (3) at least 10 days have passed since symptoms first appeared.

New York State

- [*Cuomo Details Checklist for Re-Opening as COVID-19 Cases Decline*](#), May 4
 - New York reported 226 deaths on Monday, the lowest one-day death toll since March 28. New York State reported 9,647 total hospitalizations on Sunday, down from 9,786 on Saturday.
 - Governor Cuomo highlighted requirements that any New York State region must meet before it can re-open, including: (1) a 14-day decline in hospitalizations, or under 15 hospitalizations per day; (2) a 14-day decline in virus-related hospital deaths, or under five deaths per day; (3) the rate of new hospitalizations is below 2 per 100,000 residents; (4) at least 30% of hospital beds and ICU beds are available; and (5) the region has at least 30 contact tracers per 100,000 residents.
 - Eligible regions will re-open in four phases. In phase one, construction and manufacturing will resume. In phase two, professional services, retail businesses, and real estate companies will re-open. In phase three, restaurants and hotels may resume operations. In phase four, arts and entertainment businesses can re-open.
 - Governor Cuomo acknowledged that some parts of the State would likely re-open sooner than others, and noted that “if upstate has to wait for downstate to be ready, they’re going to be waiting a long time.”

New York City

- [*New York City to Distribute 7.5 Million Free Face Masks*](#), May 4
 - New York City plans to distribute 7.5 million free face masks to residents at parks and food distribution centers. The City has 5 million three-ply surgical style face coverings and another 2.5 million non-medical cloth masks.
 - Mayor de Blasio commented that, “wherever you turn, you’re going to be offered a face covering.”
- [*City Manufacturers Scale Up Production of Critical Testing Supplies*](#), May 3
 - Local manufacturers plan to make 50,000 COVID-19 test kits per week for New York City. Test kits consist of two main components: a nasopharyngeal swab, to collect samples, and a tube of transport medium, to preserve the samples during transport.
 - Print Parts, an additive manufacturing service, will produce 3D printed swabs based on a clinically validated design from EnvisionTec and Beth Israel Deaconess Medical Center in Boston. Albert Einstein College of Medicine will produce transport medium for the testing kits.

Other Related Updates

- [*NIH Begins Study to Determine Incidence of COVID-19 in Children*](#), May 4
 - The National Institutes of Health (NIH) initiated the Human Epidemiology and Response to SARS-CoV-2 (HEROS) study, to examine the incidence and symptoms of COVID-19 in children.
 - NIH plans to enroll 6,000 children from 2,000 American families already participating in NIH-funded pediatric research studies in 11 cities. Study participants will include both healthy children, and children with asthma or other allergic conditions. The study will follow children and their families for six months.

- [*Addressing Equity in Telemedicine for Chronic Disease Management*](#), May 4
 - An article published in the *New England Journal of Medicine* discusses the increase in telemedicine facilitated by the COVID-19 pandemic.
 - The authors propose four key actions for health system leaders to ensure that the implementation of telemedicine does not exacerbate health disparities, including: (1) proactively exploring potential disparities in telemedicine access; (2) developing solutions to mitigate barriers to digital literacy and the resources needed for engagement in video visits; (3) removing health system barriers to accessing video visits; and (4) advocating for policies and infrastructure that facilitate equitable telemedicine access.

- [*Identifying Patients with Increased Risk of Severe COVID-19 Complications*](#), May 4
 - An article published in the *New England Journal of Medicine* highlighted a rules-based, adaptable model for health care facilities to use to identify which COVID-19 patients have the highest risk of complications requiring hospitalization or intensive care.

- [*FDA Issues Revised Policy on Antibody Testing*](#), May 4
 - FDA issued revised [guidance](#) for COVID-19 antibody testing. Test developers must now submit validation data proving the accuracy of their tests within the next 10 business days or face removal from the market.
 - High-quality antibody tests can detect whether a person has been exposed to and recovered from COVID-19. On March 16, FDA authorized the use of antibody tests in labs with specialized technical expertise.
 - FDA issued a [statement](#) defending the agency’s initial policy, asserting that the tests were never intended to be “used as the sole basis for [a] COVID-19 diagnosis.” FDA acknowledged that “a concerning number of commercial serology tests are being promoted inappropriately... or are performing poorly based on an independent evaluation by the NIH.”
 - FDA’s action follows a [report](#) by more than 50 scientists at the COVID-19 Testing Project, which found that only three out of 14 antibody tests consistently delivered reliable results.

- [*COVID-19 Pushes Supreme Court Into Revolutionary Changes*](#), May 4
 - The Supreme Court conducted oral arguments remotely and livestreamed audio for the first time on Monday, May 4.
 - The Court’s first case considered whether Booking.com may trademark its name. Questions proceeded in order of seniority. Justice Thomas posed several questions to both sides, deviating from his typical silence during oral arguments.
 - The Court will hear 10 cases by phone over the next two weeks.

- [*Department of Labor Issues Additional Guidance on Short-Term Compensation Program*](#), May 4
 - The Department of Labor (DOL) issued guidance on short-term compensation (STC) payments under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

- The STC program, also known as “work-sharing,” is a lay-off aversion program in which an employer, under a state-approved plan, reduces hours for a group of workers. Workers then receive a reduced unemployment benefit payment. The CARES Act provided \$100 million in federal funding to support the implementation and administration of STC programs.

Other recent events covered in detail elsewhere:

- [Illinois Extends and Modifies Its Stay-at-Home Order Through May 30, 2020 and Permits Elective Surgeries and Procedures as of May 11, 2020](#), May 4
- [Employee monitoring during the COVID 19 lockdown: GDPR considerations revisited](#), May 4
- [Federal Reserve Announces Updated Terms of “Main Street Lending Program”](#), May 1
- [DOL Provides Sweeping Deadline Extensions and Other Relief for Employee Benefit Plans, Participants and Beneficiaries Due to the COVID-19 Outbreak](#), May 1
- [Going Back to Work: Employer Use of “Apps” on Employee PDAs/Smart Phones for COVID-19 Contact Tracing](#), May 1

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