

January 13, 2022

Summary

Since COVID-19 was first identified in the United States, the government has confirmed a total of 63,617,210 COVID-19 cases and 845,707 reported related deaths in the country. On Wednesday, members of the White House COVID-19 Response Team discussed continued efforts by the Biden administration to keep children in school despite the recent surge in cases, including providing an additional five million free rapid tests and five million lab-based tests to schools each month. Today, the Supreme Court blocked the Biden administration's vaccine-or-test mandate for private employers with over one hundred employees, while upholding a mandate requiring health care workers at facilities receiving federal money to be vaccinated. President Biden announced that his administration is purchasing 500 million more COVID-19 tests for free distribution.

Supply of antiviral pills from Pfizer and Merck, which have been shown to substantially reduce the likelihood of COVID-19 hospitalization and death in high risk patients, is reportedly failing to keep up with demand. Meanwhile, the CDC stated that it is preparing to issue new guidance regarding the best type of mask to wear to protect against COVID-19 transmission.

Case numbers have started to fall or plateau in some Northeastern cities, like Washington, D.C. and New York City, which saw the first surges in Omicron infections. Cases are rising fastest in Oregon, Utah, and Alaska.

On January 12, New York reported 195 deaths, 12,452 hospitalizations, and 1,615 COVID-19 patients in intensive care. Approximately 60,374, or 16.93% of the 356,699 tests administered in New York on January 12 were positive for COVID-19.¹ New York has administered 34,712,435 doses of the vaccines to patients; 85.7% of New York residents have received at least one dose of the vaccines; and 72.7% are fully vaccinated.²

On January 11, Governor Kathy Hochul told the press that the rate of increase in COVID-19 cases and hospitalizations in New York is slowing, though cases are still rising in most areas of

¹ Testing data comes from a New York State Department of Health database containing reported results from all labs testing samples from New York State residents and pooled/batch tests reported by institutions of higher education. The data does not include at-home tests.

² For surveillance purposes, CDC data counts people as "fully vaccinated" if they have received two doses on different days (regardless of time interval) of the two-dose mRNA series or received one dose of a single-dose vaccine.

the State except for New York City. Also on January 11, Governor Hochul announced a new campaign, #VaxForKids, aimed at increasing vaccination rates among children five and older.

U.S. Government Updates

- [Press Briefing by White House COVID-19 Response Team and Public Health Officials](#), Jan. 12
 - On Wednesday, members of the White House COVID-19 Response Team discussed continued efforts by the Biden administration to keep children in school despite the recent surge in cases, including providing an additional five million free rapid tests and five million lab-based tests to schools each month.
 - The Team also announced that the White House purchased an additional 600,000 treatment courses of GlaxoSmithKline's monoclonal antibody treatment and is in the process of ordering another 500,000 doses of AstraZeneca's preventive therapy for immunocompromised individuals.
 - Currently, the seven-day average of cases is about 751,000 per day, the seven-day average of hospital admissions is about 19,800 per day, and the seven-day average of deaths is about 1,600 per day.
- [Supreme Court Blocks Biden's Virus Mandate for Large Employers](#), Jan. 13
 - Today, the Supreme Court blocked the Biden administration's vaccine-or-test mandate for private employers with over one hundred employees, while upholding a mandate requiring health care workers at facilities receiving federal money to be vaccinated.
 - The vaccine-or-test mandate, which would have required employees to either be vaccinated or get tested on a weekly basis, would have applied to over 84 million workers. The mandate for health care workers will affect more than 17 million workers.
 - This is the first time the Supreme Court has addressed the federal authority to impose vaccine mandates, but the Court has repeatedly upheld state vaccine mandates against constitutional challenges.
- [Biden Announces 500 Million More Tests Will be Purchased for Americans](#), Jan. 13
 - President Biden announced that his administration is purchasing 500 million more COVID-19 tests for free distribution, doubling the previous order. The President did not indicate when the additional tests would become available.

Vaccines and Therapeutics

- [COVID-19 antiviral pills are in short supply during Omicron surge](#), Jan. 13
 - Amid the Omicron surge, supplies of the COVID-19 antiviral pills from Pfizer and Merck, both of which were approved by the Food and Drug Administration (FDA) last month, are reportedly low.
 - Pfizer stated that the first 10 million doses of its pill, Paxlovid, will not be available until June, and that only 250,000 courses of the treatment will be available by January's end. Meanwhile, Merck, whose pill is significantly less effective than Pfizer's at preventing death and hospitalization from COVID-19, said that it would have around 3 million doses available for shipment by January's end.
 - As of this past Sunday, nearly 128,000 people in the United States were hospitalized with COVID-19.

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

- [*CDC Interpretation of Forecasts of New Deaths and Hospitalizations*](#), Jan. 10
 - The CDC cautions that current death and hospitalization forecasts may not fully account for the emergence and rapid spread of the Omicron variant or changes in reporting during the holidays and should be interpreted with caution.
 - CDC [consolidated](#) data from 23 models projecting the COVID-19 death rate. Predicted rates differ among the forecasts, depending on assumptions about the prevalence and rigor of social distancing behaviors. The CDC’s national ensemble forecast predicts the number of newly reported COVID-19 deaths will likely increase over the next four weeks. It forecasts between 10,400 and 31,000 new deaths in the week ending February 5, 2022.
 - CDC [consolidated](#) data from 9 models projecting the number of new daily confirmed COVID-19 hospitalizations. The forecast predicts daily hospitalizations will likely increase over the next four weeks, with between 17,900 and 48,000 new hospitalizations reported on February 4, 2022. It predicts that hospital admissions will increase in 39 jurisdictions, while remaining stable or uncertain in other states and territories.
- [*CDC to weigh in soon on whether Americans should upgrade their masks*](#), Jan. 12
 - Yesterday, CDC Director Rochelle Walensky stated that the agency is planning to update its mask guidance to “best reflect the multiple options available to people and the different levels of protection they provide.”
 - The CDC’s forthcoming announcement will be the first significant update to its mask guidance since last July when, following the growth in cases fueled by the Delta variant, the agency urged all Americans to return to wearing masks.
 - Walensky stated that the forthcoming recommendation will not change the agency’s existing guidance that “any mask is better than no mask” and that a mask should fit well.

New York State

- [*New York State COVID-19 Updates*](#), Jan. 13
 - New York reported 195 deaths, 12,452 hospitalizations, and 1,615 COVID-19 patients in intensive care on January 12, 2022.
 - Approximately 60,74, or 16.93% of the 356,699 tests administered in New York on January 12 were positive for COVID-19.
 - As of January 12, New York has administered 34,712,435 doses of the vaccines to patients; 85.7% of New York residents have received at least one dose of the vaccines; and 72.7% are fully vaccinated.
 - On January 11, Governor Kathy Hochul [told](#) press that the rate of increase in COVID-19 cases in New York is slowing, as is the rate of increase in hospitalization. Even as the rate of increase slows throughout the State and cases are plateauing in New York City, cases are still rising in most regions.
 - Also on January 11, Governor Hochul [announced](#) a new campaign aimed at increasing vaccination rates among children five and older. The campaign, called #VaxForKids, includes new marketing efforts in Spanish and English, with a focus on parents and guardians of children ages five to eleven.

New York City

- [New York City COVID-19 Updates](#), Jan. 13
 - High school students from various schools across the city [walked out](#) of schools on January 11 to protest what many called inadequate coronavirus protections. The students are demanding measures including more testing and screening measures, as well as an option for remote learning until such measures are implemented.

International

- [Iraq](#) will bar admission to anyone who is not fully vaccinated, including Iraqis.
- Quebec, [Canada](#) will impose a financial penalty on adults who refuse to get vaccinated and do not qualify for medical exemptions.
- The [World Health Organization](#) warned that more than half of Europe could be infected with the Omicron variant in the next six to eight weeks.

Other Updates

- [Department of Labor Unemployment Insurance Weekly Claims Report](#), Jan. 13
 - The Department of Labor (DOL) reports that another 230,000 workers filed initial claims (seasonally adjusted) for unemployment benefits last week.
 - The number of new claims had trended downward since March 2020, when nearly seven million people filed for unemployment insurance in a single week. However, claims began spiking again around December 2020.

Other recent events covered in detail elsewhere:

- [Podcast: Non-binding Guidance: COVID-19 Vaccine Mandate Litigation](#), July 29
- [Three new General Licenses expand scope of COVID-19-related activity with Iran, Syria, and Venezuela under U.S. Sanctions](#), July 6
- [Regulatory Trends in Pharma Deal-making: Transitioning from the “Year of the Pandemic” to “Another Year of the Pandemic.”](#) June 3
- [Non-binding Guidance: The Defense Production Act and the COVID-19 Pandemic](#), May 27
- [Doug Brayley Discusses Employer Vaccination Policies on CNN](#), May 24

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