

Coronavirus *Flash Update*: Wednesday, May 6, 2020

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The Latest News

- **U.S. COVID-19 cases** exceed 1,210,700 and 71,077 U.S. deaths. (Source: CDC) (**Updated 5/6/20**)
- **U.S. stock market:** Tuesday ended with gains across the major U.S. benchmarks, with the Dow up 133 points, the S&P rising 25 points, and the Nasdaq gaining 98 points. (**New**)
- The Department of Justice [announced](#) the **first enforcement action regarding alleged PPP fraud**. The DOJ alleged that two defendants falsely claimed to have dozens of employees at several locations to get more than \$500,000 in forgivable loans. (5/5/20) (**New**)
- The Cybersecurity and Infrastructure Security Agency (CISA) and its counterpart in the United Kingdom [warned](#) that they had **exposed malicious cyber campaigns targeting** organizations

involved in the COVID-19 response. CISA issued an [advisory](#) for **health care and medical research** organizations recommending staff to change passwords and implement two-factor authentication. (5/5/20) (**New**)

COVID-19 Federal Legislation

- **Bill 4.0:** Talks between the Administration and Congress, and between the Republicans and Democrats, continue but there was no indication of areas of agreement. Speculation grows that the crafting of 4.0 will be challenging and as evidence, Senate Finance Chairman Charles Grassley (R-IA) responded with “(R)ight now, not much,” to a reporter’s question on what he thought of the President’s push for a payroll tax cut. The House of Representatives is closely watching the Senate’s move to reopening this week but remains closed until at least next week continuing with “virtual” hearings and meetings.
- **Bill 3.5: Paycheck Protection Program and Health Care Enhancement Act, (H.R. 266)** enacted on April 24. Also available are a [section-by-section summary](#) and an [overview of the health care provisions](#).
 - A&B detailed summaries are below:
 - A&B [Summary](#) – **3.5 Small Business Provisions**
 - A&B [Summary](#) – **3.5 Health Care Enhancement Provisions**
- **Bill 3.0: Coronavirus Aid, Relief, and Economic Security (CARES) Act, (H.R. 748)** passed on March 27. A congressional section by section summary is available [here](#).
 - A&B detailed summaries are below:
 - A&B [Summary](#) – **CARES Act Health Provisions**
 - A&B [Overview](#) – **CARES Act Health Care Grants and Reimbursement Changes**
 - A&B [Overview](#) – **CARES Act Key Health Care Appropriations**
 - A&B [Analysis](#) – **CARES Act Funding Sources**
 - A&B [Summary](#) – **CARES Act Small Business Provisions**
 - A&B [Summary](#) – **CARES Act Educational Provisions and Appropriations**
 - A&B [Summary](#) – **CARES Act Individual and Business Tax Provisions**
 - A&B [Summary](#) – **CARES Act Unemployment Provisions**
 - A&B [Summary](#) – **CARES Act Labor Provisions**
 - A&B [Guide](#) – how the CARES Act refundable Employer Retention tax credit for employers works
 - A&B [Hospital Provisions from all 4 bills tracker](#) of COVID-19 (Updated 5/3/20)
 - A&B [Provider Relief Fund disbursements tracker](#) – Provider Relief Fund was established through the *CARES Act*, with additional funds from Bill 3.5. (Updated 5/3/20)
 - A&B [Summary](#) of **oversight and enforcement** provisions in the CARES Act
- Congress has passed three coronavirus emergency response bills and the first two are below:
 - **Bill 1.0: Coronavirus Preparedness and Response Supplemental (CPPRS) (H.R. 6074)** passed on March 5.
 - **Bill 2.0: Families First Coronavirus Response Act (FFCRA) (H.R. 6201)** passed on March 18

COVID-19 State Legislation

- **New legislative resource to track how states** and localities are responding to the COVID-19 pandemic with emergency relief programs for small and medium-sized businesses. Follow our tracker [here](#). (**New – First Issue**)

Transition to “Reopening”

- **State/Other Actions**
 - For the latest information on state reopening decisions, see the [A&B 50-State Openings Tracker](#) - updated in each A&B Coronavirus Flash Update. (**Updated 5/5/20**)
 - A&B’s Labor & Employment Group identifies issues likely to arise as workers are invited to return to their jobs and that employers may confront in developing return-to-work action plans in this [advisory](#). (4/22/20)
- **Administration Actions**
 - The Department of Labor is seeking ideas from the public about the **challenges facing businesses in the process of reopening**. A [dialogue page](#) has been created to facilitate this input. (5/1/20)
 - The President stated that his **social distancing guidance, which expired on April 30, will not be extended** allowing the guidance to “be fad[ed] out, because now the governors will be doing it.” The President added that the governors would be making the reopening decisions and other guidance about social distancing. (4/30/20)
 - FEMA released [guidance](#) for ‘Planning Considerations for Organizations in Reconstituting Operations’ as states begin to unveil reopening plans. (4/30/20)
 - The EPA and the CDC jointly provided new re-opening [guidance](#) for **cleaning and disinfecting** public spaces, workplaces, businesses, schools, and homes. (4/29/20)
 - The White House released its **COVID-19 testing overview** and [blueprint](#) (4/27/20) as part of its **Opening Up America Again** initiative. The plans describe the partnership necessary between the private sector and the federal and state governments.
 - CMS [announced](#) recommendations to **re-open health care facilities to provide non-emergent non-COVID-19 care, including elective surgeries**. The [recommendations](#) state that non-COVID-19 care should be offered as clinically appropriate if the state, locality, or facility has the resources to provide such care **and** the ability to quickly respond to a surge in COVID-19 cases if necessary. (4/19/20)
 - During a meeting with governors, President Trump released “**Opening Up America Again**” [guidelines](#) but left the decision of when his recommended phases should begin to state governments. (4/16/20)

Environmental Protection Agency

- The **Environmental Protection Agency** (EPA) [announced](#) that it is making \$1 million in grant funding available to states to help local environmental justice communities address COVID-19 concerns faced by low-income and minority communities. (4/30/20)

Federal Communications Commission

- The **Federal Communication Commission (FCC)** issued an [order](#) waiving its requirement that certain broadcast stations engage in broad recruitment outreach for full-time job vacancies if they re-hire employees released due to COVID-19. (5/5/20) (**New**)
- The FCC [announced](#) a waiver of certain requirements for individuals who have lost their employment during the coronavirus pandemic and who qualify for Lifeline benefits to enroll in the Lifeline program. The Lifeline program provides monthly discounts on broadband and voice services to qualifying low-income consumers. (4/29/20)
- The FCC adopted a [program](#) appropriating \$200 million in COVID-19 telehealth grants (the COVID-19 Telehealth Program) and \$100 million in grants through the Connected Care Pilot Program to **assist hospitals and other health care providers cover telehealth costs**. (3/31/20)
 - As authorized by the **CARES Act** the FCC [announced](#) the **fourth set of health care providers to receive telehealth grants**. (4/29/20)

Department of Health and Human Services

- The **Department of Health and Human Services (HHS)** Coronavirus [toolkit](#) page has been updated. (**Updated 5/5/20**)
- The HHS Office for Civil Rights [announced](#) that it was issuing [guidance](#) reminding covered health care providers that the HIPAA Privacy Rule requires that they obtain patient consent before media is given access to PHI. (5/5/20) (**New**)
- The HHS Office of Minority Health [announced](#) a competitive **funding opportunity** to invest up to \$40 million for the development and coordination of a strategic network of national, state, territorial, tribal, and local organizations to deliver **COVID-19 information to racial and ethnic minority, rural, and socially vulnerable communities** hardest hit by the pandemic. (5/1/20)
- HHS has a **tracking feature that allows public viewing of all COVID-19 HHS grant and cooperative agreement awards** on its [website](#). The grants were distributed through programs in the ACF, ACL, ASPR, CDC, DHHS/OS, HRSA, IHS, NIH, and SAMHSA. (Updated 4/30/20)
- The Substance Abuse and Mental Health Services Administration (SAMHSA) [announced](#) \$15 million in **supplemental grants awards** for **Tribal COVID-19 behavioral response**. (5/1/20)
- SAMHSA [announced](#) an additional \$250 million in emergency COVID-19 funding to increase access to and to improve the quality of **community mental and substance use disorder** treatment. Information on the grants is available [here](#). (4/27/20)

Assistant Secretary for Preparedness and Response

- The **Assistant Secretary of Preparedness and Response (ASPR)** Office of Biomedical Advanced Research and Development Agency (BARDA) [announced](#) it was expanding testing capacity by expanding its partnership with Hologic, Inc. for the development of a second high-throughput molecular assay for SARS-CoV-2. Starting later in May, the new test expects to begin producing at least one million Aptima® SARS-CoV-2 assays per week. (5/1/20)

- ASPR and CMS jointly [released](#) a concept of operations for nursing home infection prevention and control. (4/30/20)

Centers for Disease Control and Prevention

- The **Centers for Disease Control and Prevention (CDC)** [COVIDView Weekly Summary](#) is available. (Updated 5/1/20)
 - The CDC weekly COVID [forecast](#). (5/1/20)
- The CDC updated its [FAQ for businesses and employers](#), including information on suspected or confirmed cases of COVID-19, reducing the spread of COVID-19, cleaning and disinfecting, and critical infrastructure. (5/3/20) (**New**)
- The CDC updated its interim [guidance](#) on **discontinuation of isolations for persons with COVID-19 outside the healthcare setting**. The CDC also updated its [decision memo](#) on symptom-based strategy to discontinue isolation for persons with COVID-19 (5/3/20) (**New**)
- The CDC has updated its [webpage](#) on **contact tracing**, including resources from the CDC and other federal agencies and private sector organizations. (5/2/20)
 - The CDC also updated its guidance on [contract tracing](#) and [evaluating and testing persons for COVID-19](#) (**Updated 5/4/20**).
- The CDC updated guidance or informational documents for [healthcare systems on how to operate effectively during the COVID-19 pandemic](#), [COVID-19 testing and reporting by laboratories](#), [pediatric healthcare providers](#), [dental settings](#), [community and faith-based organizations](#), [veterinarians](#), [environmental health practitioners](#), [health departments on reporting COVID-19 cases](#), and [breastfeeding women](#). (**Updated 5/5/20**)
- The CDC released [information](#) guidance for public spaces called COVID-19 Considerations for Cleaner Air Shelters and **Cleaner Air Spaces to Protect the Public** from Wildfire Smoke. (5/1/20)
- The CDC released a [report](#) on the Public Health Response to the **Initiation and Spread** of Pandemic COVID-19 – United States, February 24-April 21, 2020. (5/1/20)
- The CDC released a [report](#) on COVID-19 in **Meat and Poultry Processing** Facilities – Selected States, April 2020. (5/1/20)
- The CDC has released a [document](#) called “Operational Considerations for Personal Protective Equipment in the Context of Global supply shortages for Coronavirus Disease 2019 (COVID-19) Pandemic: non-US Healthcare settings.” (4/30/20)
- The CDC [announced](#) they are leading SARS-CoV-2 Sequencing for Public Health Emergency Response, Epidemiology and Surveillance (SPHERES), a **new national genomics consortium** to coordinate SARS-CoV-2 sequencing across the United States. (4/30/20)
- The CDC has released [Ten Clinical Tips](#) on COVID-19 **for health care providers** involved in patient care and topics include treatment and prophylaxis, and co-infections and severe illness. (4/30/20)
- The CDC released a [report](#) on Characteristics and Clinical Outcomes of Adult Patients **Hospitalized with COVID-19 – Georgia**, March 2020. (4/29/20)
- The CDC updated or issued new guidance regarding reopening and continued mitigation efforts for [transportation and delivery workers](#), [first responders and law enforcement](#), [retirement communities and independent living facilities](#); [communities, schools, workplaces, and events](#);

[people experiencing homelessness](#); [community and faith-based organizations](#); [institutes of higher education](#); [schools and childcare facilities](#); [dental settings](#); [law enforcement agencies and personnel](#); [shared and congregate housing](#); [tribal communities](#); [parks and recreational facilities](#); [businesses and workplaces](#); [shared and congregate housing](#); and [correctional and detention facilities](#). (4/30/20)

- The CDC updated its [guidelines](#) for **collecting, handling, and testing clinical specimens** from persons in COVID-19 testing. (4/29/20)

Centers for Medicare & Medicaid Services

- The **Centers for Medicare and Medicaid Services (CMS)** latest [news alerts](#). (**Updated 5/5/20**)
- CMS updated its [FAQ](#) for state Medicaid and Children’s Health Insurance Program (CHIP) agencies. CMS also issued a separate document only listing the [new FAQs](#). (**Updated 5/5/20**)
- **CMS announced** a second round of waivers and rule changes in response to the COVID-19 pandemic, including: (4/30/20)
 - [COVID-19 Emergency Declaration Blanket Waivers & Flexibilities for Health Care Providers \(PDF\)](#) (4/30/20)
 - [Medicare and Medicaid IFC: Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency \(CMS-5531 IFC\) \(PDF\)](#) (4/30/20)
 - [List of Hospital Outpatient Services \(PDF\)](#) and [List of Partial Hospitalization Program Services Accompanying the 4/30/2020 IFC \(PDF\)](#) (4/30/20)
 - [List of lab test codes for COVID-19, Influenza, RSV \(PDF\)](#) (4/30/20)
 - [Home Health Agencies \(PDF\)](#) (4/30/20)
 - [Physicians and Other Practitioners \(PDF\)](#) (4/30/20)
 - [Ambulances \(PDF\)](#) (4/30/20)
 - [Hospitals \(PDF\)](#) (4/30/20)
 - [Teaching Hospitals, Teaching Physicians and Medical Residents \(PDF\)](#) (4/30/20)
 - [Long Term Care Facilities \(Skilled Nursing Facilities and/or Nursing Facilities\) \(PDF\)](#) (4/30/20)
 - [Hospices \(PDF\)](#) (4/30/20)
 - [Inpatient Rehabilitation Facilities \(PDF\)](#) (4/30/20)
 - [Long Term Care Hospitals & Extended Neoplastic Disease Care Hospitals \(PDF\)](#) (4/30/20)
 - [Rural Health Clinics \(RHCs\) and Federally Qualified Health Centers \(FQHCs\) \(PDF\)](#) (4/30/20)
 - [Laboratories \(PDF\)](#) (4/30/20)
 - [End Stage Renal Disease \(ESRD\) Facilities \(PDF\)](#) (4/30/20)
 - [Durable Medical Equipment \(PDF\)](#) (4/30/20)
 - [Participants in the Medicare Diabetes Prevention Program \(PDF\)](#) (Updated 4/2/20)
 - [Medicare Advantage and Part D Plans \(PDF\)](#) (4/30/20)
 - [State Medicaid & Basic Health Programs \(PDF\)](#) (4/30/20)
 - [Medicare Shared Savings Program Participants \(PDF\)](#) (4/30/20)
- CMS [issued](#) FAQs related to the Emergency Medical Treatment and Labor Act (EMTALA) that clarify requirements and considerations for hospitals and other providers. (4/30/20)

- CMS [announced](#) an independent commission to address **safety and quality in nursing homes**. The agency also [released](#) guidance to State Survey Agencies (SAs) for nursing home cost surveys and certification efforts in the award and administration of supplemental funding provided by the CARES Act, with a focus on areas where there is community spread of COVID-19. (4/30/20)
- CMS has posted a [FAQ](#) on HHS-operated risk adjustment for individual and small group health plans for the coverage of telehealth COVID-19 care. (4/27/20) (**New**)
- A&B's Health Care and Litigation Groups explore how to **take advantage of remote health care** now and prepare for continued telehealth operations after the pandemic ends in this [advisory](#). (4/29/20)
- The **CARES Act** required CMS to expand its **accelerated and advance payment program**, and CMS released a [statement](#) and [fact sheet](#) providing guidance on the policy. (3/28/20)
 - CMS [announced](#) that it is suspending its Advance Payment Program to Part B suppliers effective immediately and applications would no longer be received. The Agency is also **reevaluating the amounts that will be paid under its Accelerated Payment Program** but will continue to receive applications. (4/26/20)
 - CMS released a **state-by-state list** showing the breakdown of receipt of accelerated and advance payments. (Updated 4/24/20)

HHS/CMS/HRSA CARES Act Provider Relief Funds

- HHS [announced](#) it was disbursing another \$22 billion in CARES Act **Provider Relief Funds** last Friday for hospitals in "hot spots" or COVID-19 high impact areas (\$12 billion) and for rural providers (\$10 billion). The CMS Provider Relief Fund [webpage](#) has been updated and additional portals opened: (5/2/20)
 - The initial announcement stated that **high impact eligible facilities** would be the 395 hospitals that provided inpatient care for 100 or more COVID-19 patients through April 10. \$10 billion would be distributed based on a fixed amount per COVID-19 admission and \$2 billion would be based on a hospital's Medicare and Medicaid disproportionate share and uncompensated care payments.
 - The announcement stated that eligible entities for the **rural payments** are:
 - Rural acute care general hospitals
 - Critical access hospitals
 - Rural health clinics
 - Rural community health centers
 - The rural provider payments would be based on a minimum base payment plus a percent of annual expenses.
 - Attestation Portal (<https://covid19.linkhealth.com/#/step/1>) provides the initial steps to be completed for distribution to be followed by requirements in the revenue portion of the portal, which is required for both:
 - Providers eligible for funds which must be applied for; and
 - Providers who received an automatic payment terms and conditions for fund recipients are available [here](#).
 - The Provider Relief Funds webpage has not been updated to reflect the \$12 billion increase for high impact areas or the additional eligibility and distribution methodology

information. In addition, the breakdown of the high impact distributions and rural distributions has been removed.

- The [state-by-state congressional district distribution totals](#) for the initial \$30 billion which began on April 10 has been posted. (5/1/20)
- The CARES Provider Relief hotline is (866) 569-3522. Entities can also try contacting the Provider Hotline at the [applicable MAC](#).
- HHS through the Health Resources and Services Administration [began distribution](#) of another \$20 billion from the CARES Act Provider Relief Fund for the care of the uninsured, which augments the \$30 billion which was released in the first tranche from the fund. (4/28/20)
 - HRSA launched the [COVID Uninsured Portal](#) allowing health care providers who have conducted COVID-19 testing or provided treatment for uninsured COVID-19 individuals on or after February 4, 2020 to request claims reimbursement.
- HHS Provider Relief Fund [first disbursements](#) of \$30 billion began on April 10 and the initial information outlined five allocation categories for the **remaining \$70 billion** (the CARES Act authorized \$100 billion – bill 3.5 has authorized an additional \$75 billion).
 - This detailed A&B [Provider Relief Fund disbursements](#) tracker provides a full overview of the \$70 billion disbursement and the previous \$30 billion (Updated 5/3/20).

Food and Drug Administration (Drugs and Devices)

- FDA provides a **daily roundup on COVID-19** related actions. The latest update is [here](#), (**updated 5/5/20**), and here is a listing of [all announcements](#).
 - FDA maintains its COVID-19 [FAQs](#) for the general public. (Updated 5/1/20)
 - The agency also maintains a [public database](#) of drug shortages. (Updated 5/1/20)
- The FDA [announced](#) that it was updating its [guidance](#) to **improve antibody testing quality**. The document explains FDA's policy for laboratories and commercial manufacturers to help accelerate the use of tests they develop in order to achieve more rapid and widespread testing capacity in the United States. The FDA also updated its [fact sheet](#) on antibody tests and provided [insight](#) on its revised policy (**Updated 5/4/20**)
- The FDA [issued](#) an emergency use authorization for the investigational antiviral drug Remdesivir for the treatment of suspected or laboratory-confirmed COVID-19 in adults and children hospitalized with severe disease. (5/1/20)
- FDA issued [guidance](#) to clarify the scope of the public health emergency exemption and exclusion under the **Drug Supply Chain Security Act** to help ensure adequate distribution of finished prescription drug products throughout the supply chain to combat COVID-19. (4/30/20)
 - Review this A&B [advisory](#) for more information about the FDA's new guidance. (5/5/20) (**New**)
- FDA [added](#), under the ventilator emergency use authorization (EUA) rules, a **ventilator developed by NASA** that is tailored to treat patients with COVID-19. (4/30/20)

Food and Drug Administration and United States Department of Agriculture (Food-Related)

- The White House [issued](#) an executive order to **keep meat and poultry processors open** under the Defense Production Act. The White House also issued a [fact sheet](#) on efforts related to ensuring the safety of the nation's food supply chain. (4/28/20)

National Institutes of Health

- The National Institutes of Health (NIH) [announced](#) a new initiative aimed at speeding innovation, development and commercialization of COVID-19 testing technologies. As part of this initiative, NIH is urging all scientists and inventors with a rapid testing technology to compete in a national COVID-19 testing challenge for a share of up to \$500 million over all phases of development. (4/29/20)
- NIH [announced](#) that a clinical trial shows that Remdesivir, an investigational broad-spectrum antiviral treatment, accelerates recovery in hospitalized patients with advanced COVID-19. (4/29/20)

Health Resources and Services Administration

- The **Health Resources and Services Administration (HRSA)** launched its new COVID-19 Uninsured Program [Portal](#). The portal will provide guidance to health care providers to request reimbursement for the testing and treatment for uninsured COVID-19 patients. (4/27/20)
- HRSA [awarded](#) \$20 million to increase telehealth access and infrastructure to providers and families. (4/30/20)
 - HRSA previously launched a [website](#) to help health care providers use telehealth and educate patients on it. (4/22/20)
- HRSA provides COVID-19-related FAQs [here](#). (**Updated 5/4/20**)

Department of Homeland Security/FEMA

- The **Department of Homeland Security (DHS)** [issues](#) a weekly roundup of its response to COVID-19. (**Updated 5/4/20**).
- FEMA issued a fact sheet describing the **federal support being provided to expand national testing capabilities**. (5/5/20) (**New**)
- FEMA [announced](#) \$200 million in supplemental funding under the CARES Act for local jurisdictions to help service organizations that provide critical resources. (5/4/20) (**New**)
- FEMA released a [fact sheet](#) on using the Critical Care Decontamination System. The FDA has issued emergency use authorizations for vaporized hydrogen sterilizer systems to be used in the decontamination of N95 respirators. (4/30/20)
- FEMA [announced](#) that it will coordinate two **shipments totaling a 14-day supply of personal protective equipment (PPE)** to more than 15,400 Medicare and Medicaid-certified nursing homes across the nation, including all 50 states, the District of Columbia, Puerto Rico, and Guam. By the beginning of July, each facility will receive two separate packages containing a seven-day

supply of eye protection, surgical masks, gowns, and gloves. Each package will be individualized for each nursing home based upon their level of staffing. (4/30/20)

- FEMA issued a [fact sheet](#) on **best practices to preserve personal protective equipment**. (4/28/20)
- President Trump signed an [executive order](#) temporarily “pausing,” for period of 60 days, certain **U.S. immigration processes**. The President noted he would revisit the issue after 60 days and depending on the economy may choose to extend the suspension. (4/22/20)
 - Review this A&B [advisory](#) for more information on the order, who it applies to, who is exempted, and what employment-based visas are affected. (4/28/20)
- **FEMA refines scope of medical supply export ban**. The FEMA offered more details on its plans for exemptions to a temporary rule banning some medical supplies from being shipped overseas. In an [April 21 Federal Register notice](#), FEMA codified and tailored the exemptions, which provide a path for some exporters to make sales of medical products not in high demand in the U.S. See A&B advisory about it [here](#). (4/23/20)

Department of Justice/Federal Trade Commission/Litigation

Consumer Protection/Anti-fraud

- The **Consumer Financial Protection Bureau** (CFPB) issued an interpretative [rule](#) to provide guidance to creditors and other covered persons involved in the mortgage origination process. (4/29/20)
- The FTC provided [guidance](#) for businesses to **avoid scams** while applying for loans through the SBA’s Paycheck Protection Program (PPP) or Economic Injury Disaster Loans (EIDL) program. FTC advises businesses to get information directly from the SBA’s website ([sba.gov/coronavirus](#)) and not apply for a loan before verifying the lender. If businesses identify scams, they are asked to submit a complaint at [ftc.gov/complaint](#). (4/29/20)

Litigation Issues

- **Higher education** protected students’ and employees’ health by closing their campuses and moving – virtually overnight – to online learning. Now they face **high-risk class actions** from students and their parents. A&B’s Colleges & Universities Team provides insight into current litigation in this [advisory](#). (4/30/20)
- In response to COVID-19, individual courts have often made their own rules on how to proceed, and businesses are caught in the gridlock. For a deeper understanding of how individual states are treating statutes of limitations and some key takeaways, read this A&B [advisory](#). (4/24/20)

Department of Labor/OSHA

- **Department of Labor (DOL)** [announced](#) that states and territories can use Dislocated Worker Grant funding for contact tracing. (5/5/20) (**New**)
- DOL [announced](#) that it was issuing additional [guidance](#) about the **short-time compensation program** under the CARES Act. (5/4/20) (**New**)

- DOL [announced](#) that it was issuing additional [guidance](#) to state unemployment insurance programs regarding reporting requirements for administrative grants and sharing commonly asked questions about unemployment insurance. (5/4/20) (**New**)
- DOL's **Employee Benefits Security Administration (EBSA)** [issued](#) FAQs under the Consolidated Omnibus Budget Reconciliation Act (COBRA) and [revised COBRA model notices](#). Plan administrators can use these model notices to notify plan participants and beneficiaries of their rights under COBRA and qualified beneficiaries of their rights to elect COBRA. (5/1/20)
- DOL and the Occupational Safety and Health Administration (**OSHA**) [issued](#) a safety alert for restaurants, food, and beverage businesses providing curbside pickup and takeout service. (5/1/20)

Small Business Administration

- **Small Business Administration (SBA)** – In response to the **CARES Act** requirements, the SBA formally [launched](#) its **Paycheck Protection Program (PPP)** for small businesses. (4/3/20)
 - The SBA issued a new PPP [interim final rule](#) that: (4/30/20)
 - (1) Created a **limit of \$20 million for all PPP loans issued to a corporate family**. As a result, effective immediately, the total amount of PPP funds granted to a “corporate family” (businesses that are majority owned by a common parent) cannot exceed \$20 million.
 - (2) **Expanded the criteria** for certain non-bank institutions to become eligible to make PPP loans.
 - Any non-bank or non-insured depository institution that has performed any one of—as opposed to all of—originating, maintaining, or servicing more than \$50 million in business loans or other commercial financial receivables during a 12 month period in the past 36 months can now be a lender in the PPP.
 - In addition, non-bank lenders that are either (1) a community development financial institution (other than a federally insured bank or federally insured credit union) or (2) a majority minority-, women-, or veteran/military-owned lender, can now be a lender in the PPP if such lender has originated, maintained, or serviced more than \$10 million in business loans or other commercial financial receivables during a 12 month period in the past 36 months.
 - The SBA and Treasury **updated their FAQs on the Paycheck Protection Program**. The [FAQs](#) clarify that **employers will not be penalized if they are unable to rehire a worker** despite good faith efforts. The FAQs also **extend the safe harbor to repay PPP loans** until May 14. (**Updated 5/5/20**)
 - Review this A&B [advisory](#) for information on relief under the CARES Act for fund managers. (5/5/20) (**New**)
 - The SBA [announced](#) that **agricultural businesses are now eligible for Economic Injury Disaster Loan (EDIL) and EDIL Advance programs** under the Paycheck Protection Program and Healthcare Enforcement Act. (5/4/20) (**New**)

- The SBA and Treasury [announced](#) making 2.2 million loans in Round 2 of the Paycheck Protection Program totaling more than \$175 billion. Summary information on Round 2 is available [here](#). (5/3/20)
- The SBA and Treasury [announced](#) that they would review all PPP loans over \$2 million, in addition to other loans as appropriate, to ensure that applicants meet eligibility criteria. (4/28/20)
 - A&B's White Collar, Government & Internal Investigations Team summarizes the latest stimulus addition and **emerging enforcement developments** related to the certification, receipt, and use of PPP funds, including for banks processing the related loans, in this [advisory](#). (4/30/20)
- The SBA issued two interim final rules, one announcing additional criterion for [seasonal employers](#) under PPP and the other on [disbursements](#). (4/28/20)
- The SBA resources for loans under the [Paycheck Protection Program](#) has been updated. (4/26/20)
- The SBA and Treasury updated their [FAQs](#) on PPP, adding new Questions 38 and 39. (Updated 4/29/20)
- The SBA has guidance for loans under the [Express Bridge Loan Pilot Program](#), the [Economic Injury Disaster Loan Program](#) for qualified entities that are impacted by COVID-19.

Department of Treasury/IRS/Federal Reserve

- The Department of Treasury [website](#) for **CARES Act** programs, including specific sections on assistance for [American workers and families](#), [small businesses](#), [state and local governments](#), and [preserving jobs for American industry](#).
- Treasury and the Department of the Interior [announced](#) an agreement to begin making \$4.8 billion in funds available to Tribal governments under the CARES Act. (5/5/20) (**New**)
- The Federal Reserve [announced](#) that it was [modifying](#) its **liquidity coverage ratio for banks** participating in the Money Market Mutual Fund and Paycheck Protection Program Liquidity Facilities. (5/5/20) (**New**)
- The Federal Reserve [expanded](#) access to its Paycheck Protection Program Liquidity Facility (PPPLF) to additional lenders and expands the collateral that can be pledged. (4/30/20)
- The Federal Reserve [announced](#) an expansion of the scope and eligibility for the Main Street Lending Program to help credit flow to small and medium-sized businesses. (4/30/20)
 - [FAQs](#) regarding the Main Street Lending Program were released. (4/30/20)
 - For more information about the Main Street programs, review this A&B [advisory](#). (4/14/20)
- The **Internal Revenue Service (IRS)** provided answers to [common questions](#) on the Economic Impact Payment Program and stated that checks continue to be sent. (4/30/20)
- IRS provided [guidance](#) clarifying that **no deduction is allowed** under the Internal Revenue Code for an expense that is otherwise deductible if the payment of the expense results in forgiveness of a covered **PPP loan**. (4/30/20)
- The IRS updated its [FAQs](#) related to the **employee retention credit** under the CARES Act. (4/29/20)

- The IRS released [state-by-state](#) data for the Economic Impact Payments with 88 million individuals receiving payments worth nearly \$158 billion. (Updated 4/28/20)

Other Agencies

- The **Securities and Exchange Commission (SEC)** [announced](#) that it was issuing a temporary [final rule](#) providing temporary relief to certain companies to meet urgent needs through regulation crowdfunding offerings. (5/4/20) (**New**)
- The **United States Patent and Trademark Office** announced (4/28/2020) that it would further extend certain [patent](#) and [trademark](#) deadlines to June 1, 2020, given the ongoing effects of the COVID-19 pandemic. These extended deadlines apply to those situations identified in the USPTO's [March 31, 2020, guidance](#), such as responses to Office Actions.
 - For more detail, read Alston & Bird's [advisory](#) explaining how and when to claim these extensions. (4/2/20)
- The **Department of Education** [announced](#) today that nearly \$1.4 billion in additional funding will be directed to Minority Serving Institutions (MSIs), including Historically Black Colleges and Universities (HBCUs) and Tribally Controlled Colleges and Universities (TCCUs), as well as institutions serving low-income students to help ensure learning continues during the coronavirus national emergency, as authorized by the CARES Act. (4/30/20)
- The **Federal Housing Finance Agency (FHFA)** [announced](#) that it was **extending loan processing flexibilities for Fannie Mae and Freddie Mac customers** through June 30 to allow alternative appraisals, alternative methods of verifying employment, flexibility for documentation requirements to allow renovation disbursements, and expanding the use of power of attorney and online notarizations. (5/5/20) (**New**)
- FHFA announced that Fannie Mae and Freddie Mac created **online property lookup tools** to allow renters to see if they live in a property that is covered by the temporary eviction moratorium. (5/4/20) (**New**)
- On April 21, the **FHFA** [announced](#) that it was aligning Fannie Mae's and Freddie Mac's policies so that servicers of Fannie Mae and Freddie Mac single-family mortgage loans that are in forbearance as a result of COVID-19 will only have an obligation to advance four months of missed principal and interest payments.
 - For a deeper dive on this topic, see this [advisory](#) from A&B's Finance Group. (4/22/20)
- **The Department of Housing and Urban Development (HUD)** on May 1 [announced](#) the allocation of \$685 million in funding for public housing authorities to assist low-income Americans living in public housing. (5/1/20)
 - **HUD issued** a brochure for tenants having problems paying rent including state contacts. (4/27/20)
 - **HUD** also provided COVID-19 [FAQs](#) for Public Housing Agencies. (updated 4/22/20)
- The **Department of Transportation (DOT)** [announced](#) exemptions under the CARES Act for [Spirit Airlines](#) and [JetBlue Airlines](#) to stop providing service at certain large hubs and focus city airports. (5/5/20) (**New**)
- The DOT [announced](#) that the **Federal Aviation Administration (FAA)** will award \$1.187 billion in airport safety and infrastructure grants under the CARES Act. (4/30/20)

- The FAA granted an [exemption](#) to the timeframes for completing recurrent training and testing requirements for certain air ambulance personnel. (4/30/20)
- The **Department of Veterans Affairs** (VA) Board of Veterans' Appeals [announced](#) it was expanding access to **virtual hearings** to all veterans awaiting their board hearing. (5/1/20)
- The VA [announced](#) it is participating in **the plasma from COVID-19 patients clinical trials** aimed at finding ways to potentially prevent symptoms of the coronavirus disease. (5/1/20)
- The VA [announced](#) it was providing supplies and **clinical personnel to non-VA facilities** in 38 states to care for COVID-19 patients. (5/1/20)

Trade and International Business Issues

- **Neal Calls for 90-Day Suspension of All Tariffs on Goods Necessary to Combat COVID-19 Public Health Crisis.** The U.S. should lift tariffs on all medical goods being used to combat the coronavirus pandemic for 90 days, House Ways & Means Committee Chairman Richard Neal (D-MA) [said](#) on Monday after reviewing a U.S. International Trade Commission report on COVID-19-related products. Neal and Senate Finance Committee Chairman Chuck Grassley (R-IA) last month asked the ITC to compile a report identifying which imported goods are relevant to responding to the coronavirus as well as the tariff lines, duty rates, import levels and sources of those goods. The USITC report was made public on Monday and is available [here](#). (**New**)
- **CTPAT Validations Stopped.** CBP has stopped its validations of the Customs-Trade Partnership Against Terrorism program due to the COVID-19 pandemic, CTPAT Director Manuel Garza said in a May 1 post on the CBP [website](#). CBP recently said it wouldn't be delaying dates around implementation of the updated Minimum Security Criteria, but it will allow for more discretion in the validations. Garza said CBP "understands the unique situations your company may be dealing with and how it may affect your participation in the CTAT program." As a result, "various program deadlines will be taken into consideration and adjusted on a case-by-case basis," he said. "However, it is imperative that you contact your assigned [supply chain security specialist] before they become significant." There will also be a new "process that now provides the submission of suspension/removal appeals via email, (ctpatappeals@cbp.dhs.gov) not just through postal mail." (**New**)
- **EXIM Increases U.S. Exporter Access to Capital and Supply Chain Financing During COVID-19 by Raising Lender Guarantee Coverage Option to 95 Percent.** The US Export-Import Bank [announced](#) on Monday that it has raised to 95 percent its guarantee coverage option for the Supply Chain Finance Program and Working Capital Guarantee Program in order to provide further relief to US exporters. The increase is effective through April 30, 2021. (**New**)
- With everyone focused on COVID-19, this A&B [advisory](#) analyzes the **implications of Brexit on cross-border litigation in Europe**. (5/5/20) (**New**)
- A&B European Antitrust, Mergers & Acquisitions, and International Trade & Regulatory Groups [examines](#) (4/21/20) **changes in the way European competition authorities will review foreign direct investment** during (and potentially long after) the coronavirus pandemic and [reviews](#) what COVID-19 may mean for **European commercial mortgage-backed securities servicers**.

Insurance Issues

- For a **50-state review of business interruption insurance related issues** see this new COVID-19 [Insurance litigation and Regulatory Issues tracker](#). The tracker is updated weekly. (last update 5/3/20)
- S&P Global Ratings has [weighed in](#) on state legislative efforts to retroactively alter insurance policy language to cover business income losses relating to the COVID-19 pandemic. S&P opines that any “such efforts in any state would be largely unsuccessful” and would likely come up against “a host of constitutional and legal challenges.” (**New**)
- On April 30, the Council of the District of Columbia issued a [Memorandum](#) requesting to place certain measures on the agenda for the May 5th Legislative Meeting, including changes to the law that would impose “new requirements for business interruption insurance to pay for certain business closures during the pandemic.” On May 5, the D.C. Council [reportedly](#) decided not to push the proposal forward. (**New**)
- On April 30, the Council of the District of Columbia issued a [Memorandum](#) requesting to place certain measures on the agenda for the May 5th Legislative Meeting, including changes to the law that would impose “new requirements for business interruption insurance to pay for certain business closures during the pandemic.”
- The pace of new business income coverage claims flooding state and federal courts nationwide has continued at break-neck pace over the last few weeks. Notably, plaintiffs firm Lief Cabraser Heimann & Bernstein LLP has joined the fray, [reportedly](#) indicating that they intend to file many lawsuits on behalf of restaurant owners going forward. They filed the first such suit on April 30 on behalf of San Francisco’s Michelin-starred Coi Restaurant and Los Angeles’ Alta Adams against insurers Farmers’ Group and Mid-Century Insurance Company. The suit was filed in San Francisco Superior Court and alleges breach of contract, bad faith, and fraud claims.

For background and the most up-to-date information, please visit the Centers for Disease Control and Prevention Coronavirus Disease 2019 website: [HERE](#). The additional federal agency links are provided by the White House Coronavirus Task Force:

U.S. Department of Health and Human Services:

- Twitter ([here](#))
- Facebook ([here](#))

Centers for Disease Control and Prevention:

- Twitter ([here](#))
- Facebook ([here](#))

What you should know:

- [Workplace, School, and Home Guidance](#)
- [People at Risk for Serious Illness from COVID-19](#)

- [How COVID-19 Spreads](#)
- [Symptoms](#)
- [Steps to Prevent Illness](#)
- [Testing](#)
- [Frequently Asked Questions](#)
- [What to Do If You Are Sick with COVID-19](#) (updated 4/28/20)
- [Stigma Related to COVID-19](#)
- [Facts about COVID-19](#)
- [Information for People at Higher Risk and Special Populations](#)
- [Communication Resources](#)

Situation Updates:

- [Situation Summary](#)
- [Cases in the U.S.](#)
- [Global Locations with COVID-19](#)
- [Risk Assessment](#)
- [CDC in Action: Preparing Communities](#)

Information for Businesses:

- [Interim Guidance for Businesses and Employers](#)
- [Information for Communities, Schools, and Businesses](#)
- [Environmental Cleaning and Disinfection Recommendations – Community Facilities](#)
- FEMA: [Coronavirus Response](#)
- SBA: [COVID-19 Resources](#)
- DOL: [Guidance for Preparing Workplaces for Coronavirus](#)
- DOL: [OSHA Resources for Workers and Employers on COVID-19](#)
- WHO: [Get Your Workplace Ready for COVID-19](#)
- CISA: [Risk Management for COVID-19](#)
- EPA: [Disinfectants for Use Against COVID-19](#)
- Federal Reserve: [Coronavirus Disease 2019 \(COVID-19\) Resources.](#)
- FDIC: [Coronavirus \(COVID-19\) Information for Bankers and Consumers.](#)
- OCC: [COVID-19 \(Coronavirus\).](#)
- Conference of State Bank Supervisors: [Information on COVID-19 Coronavirus.](#)
- NYDFS: [Coronavirus: Information for Industry and Regulated Entities.](#)
- NMLS: [State Agency Communication/Guidance on Coronavirus/COVID-19](#)

Information for Travel and Transportation:

- [Information for Travel](#)
- [Guidance for Ships](#)
- [Guidance for Airlines and Airline Crew](#)
- State: [Travel Advisories](#)
- State: [Traveler's Checklist](#)
- State: [Smart Traveler Enrollment Program](#)

- DOT: [FAQs from FTA Grantees Regarding COVID-19](#)

Information for Health Care Providers, First Responders, and Research Facilities:

- [Information for Healthcare Professionals](#)
- [Resources for State, Local, Territorial and Tribal Health Departments](#)
- [Resources for Healthcare Facilities](#)
- [Infection Prevention and Control Recommendations for Patients with COVID-19 or Persons Under Investigation in Healthcare Settings](#)
- [Information for Laboratories](#)
- [Resources for First Responders](#)
- [Guidance for Public Health Professionals Managing People with COVID-19 in Home Care and Isolation Who Have Pets or Other Animals](#)
- [FAQs and Considerations for Patient Triage, Placement and Hospital Discharge](#)
- [What Law Enforcement Personnel Need to Know](#)
- [Guidance for Homeless Shelters](#)
- [Guidance for Hemodialysis Facilities](#)
- CMS: [Information on COVID-19 and Current Emergencies](#)
- CMS: [Guidance for Hospice Agencies](#)
- CMS: [Emergency Medical Treatment and Labor Act Requirements and Implications Related to COVID-19](#)
- CMS: [FAQs for State Survey Agency and Accrediting Organizations](#)
- EPA: [Disinfectants for Use Against COVID-19](#)

Information for Law Enforcement:

- [What Law Enforcement Personnel Need to Know](#)
- [Bureau of Prisons COVID-19 Resources](#)

Information for Families and Households:

- [Information on COVID-19 for Pregnant Women and Children](#)
- [Interim Guidance for Household Readiness](#)
- [Environmental Cleaning and Disinfection Recommendations for U.S. Households](#)
- [Guidance for Preventing the Spread of COVID-19 in Homes and Residential Communities](#)
- [FAQ: COVID-19 and Children](#)
- EPA: [Disinfectants for Use Against COVID-19](#)

Information for Schools and Childcare Providers:

- [Interim Guidance for Administrators of U.S. Childcare Programs and K-12 Schools](#)
- [Resources for Institutes of Higher Education](#)
- [Environmental Cleaning and Disinfection Recommendations – Community Facilities](#)
- USDA: [USDA Makes It Easier, Safer to Feed Children in California Amid Coronavirus Outbreak](#)
- EPA: [Disinfectants for Use Against COVID-19](#)
- DOE: [Resources for Schools and School Personnel](#)

Information for Community Events and Gatherings:

- [Interim Guidance for Mass Gatherings and Large Community Events](#)
- [Interim Guidance for Community- and Faith-Based Organizations](#)

Agency Resources and Information:

- [U.S. Department of Health and Human Services](#)
- [Centers for Medicare and Medicaid](#)
- [U.S. Food & Drug Administration](#)
- [U.S. Department of Agriculture](#)
- [U.S. Department of Defense](#)
- [U.S. Department of Education](#)
- [U.S. Department of Energy](#)
- [U.S. Department of Homeland Security](#)
- [U.S. Department of Labor](#)
- [U.S. Department of State](#)
- [U.S. Department of Veterans Affairs](#)
- [U.S. Environmental Protection Agency](#)
- [U.S. Small Business Administration](#)

Alston & Bird Coronavirus Links

- Alston & Bird Coronavirus [Task Force](#) Web page
- To [Subscribe](#) to Alston & Bird Advisories
- For Alston & Bird [COVID-19 Insights and Events](#)
- **Previous Alston & Bird Coronavirus Advisories** (not included in the above)
 - **April 21**
 - [Financial Advisory: Forbearance Agreements in the age of COVID-19 and National Shelter-in-Place Orders](#)
 - **April 17**
 - ["INSIGHT: Businesses Better Brace for Post-Coronavirus Lawsuits" Bloomberg Law](#)
 - [Antitrust / Labor & Employment Advisory: Federal Antitrust Agencies Remind Businesses That Colluding on Labor Issues Remains Illegal During Pandemic](#)
 - [Labor & Employment / Health Care / Corporate & Finance Advisory: Ramping Up: What Does Restarting Look Like?](#)
 - **April 16**
 - [International Tax Advisory: Risky Business - Allocating Losses When Your Supply Chain Is Disrupted](#)
 - [Finance Advisory: Ginnie Mae Expands Pass-Through Assistance Program to Finance Servicing Advances in Response to COVID-19](#)
 - **April 15**
 - ["Force Majeure Clauses in the Face of COVID-19: Commercial Leasing Guidance \(CA\)," Lexis Practice Advisor](#)

- [Federal Tax Advisory: IRS Issues COVID-19 Forbearance Guidance for REMICs and Investment Trusts](#)
- **April 14**
 - [Investment Advisory: Federal Reserve Announces Main Street Lending Program to Provide Liquidity to Small & Mid-Size Businesses](#)
 - [Investment Management Advisory: Relief Under the CARES Act for Fund Managers](#)
- **April 13**
 - ["As Pandemic Triggers Continuity Plans, What RIAs and BDs Should Ask Themselves," Financial Planning](#)
 - [FDA & Environment Advisory: Cleaning Up After COVID-19? What You Need to Know Before You Manufacture, Import, or Sell Sterilizers, Sanitizers, Purifiers, and Disinfectants](#)
 - [Securities Law Advisory: SEC Reminds Companies to Keep Their Disclosures Looking Forward](#)
- **April 10**
 - [Securities Law Advisory: ISS Offers COVID-19-Conscious Policy Guidance](#)
- **April 9**
 - [Federal Tax Advisory: IRS Provides Partnerships a Mechanism to Claim Benefit of Retroactive CARES Act Provisions](#)
 - [Financial Services Advisory: Agencies Update Their Interagency Statement on Reporting Loan Modifications](#)
 - [Early Securities Class Actions Highlight COVID-19 Litigation Risk \(Law360\)](#)
 - [FDA Compliance & Enforcement Advisory: FDA Issues New Guidance on Supply-Chain Disruption Notifications During COVID-19 Emergency](#)
 - [Financial Restructuring & Reorganization Advisory: Protecting Recoveries in a Pandemic: What Creditors Can Do Right Now](#)
- **April 7**
 - [Updated FAQs Regarding Paid Leave Obligations Under the Families First Coronavirus Response Act](#)
 - [Cyber Alert: Cybersecurity and COVID-19: Four Categories of Cyber Threats and Practical Tips in Response](#)
- **April 6**
 - [Antitrust Advisory: Production and R&D Joint Ventures in a Pandemic: Reducing Antitrust Risk](#)
 - [Financial Services Advisory: Regulatory Agencies Issue Mortgage Servicing Guidance and FAQs for the CARES Act](#)
 - [White Collar, Government Investigations Advisory: CARES Act Follows Familiar Blueprint for Oversight and Enforcement](#)
- **April 3**
 - [EU State Aid Measures in the Fight Against COVID-19 Pandemic](#)
- **April 2**
 - [USPTO Announces Additional Limited Extensions Due to the COVID-19 Pandemic](#)
 - [Deadline for Reg BI and Form CRS Compliance Remains on Track](#)

- [What Does the Coronavirus Mean for Companies and Their Critical Offshore Services?](#)
- **April 1**
 - [Federal Tax Advisory: Downward Stock Attribution for CFC Purposes](#)
 - [Hospital EMTALA Obligations Under Recent COVID-19 Waivers](#)
 - [CMS Issues Blanket Waivers from Physician Self-Referral Law Sanctions](#)
- **March 31**
 - [Additional Families First Coronavirus Response Act Paid Leave FAQs for Employers](#)
 - [SEC Extends Timeframe for Regulatory Relief for Investment Advisers and Investment Companies](#)
 - [Responsibility for Construction Site Safety in a Coronavirus World](#)
- **March 30**
 - [Keep Mystery to a Minimum in Your SEC COVID-19 Disclosures](#)
 - [How the CARES Act Will Affect Banking During the Coronavirus Emergency](#)
 - [Economy in Chaos: Is Bankruptcy Inevitable for My Business?](#)
 - [CMS Announces Expansion of Medicare's Accelerated and Advance Payment Program](#)
- **March 27**
 - [Utilization of Electronic Signatures and Records: What You Need to Know](#)
 - [SEC Extends Conditional Filing Relief to Companies Affected by COVID-19](#)
 - [COVID-19: What It May Mean for Landlords and Lenders Under Their CRE Facility Agreements](#)
 - [Congress Further Expands Medicare Telehealth Benefits with the CARES Act](#)
- **March 26**
 - [USTR to Consider Additional Tariff Exclusions Due to COVID-19 Pandemic](#)
 - [COVID-19 and Price Gouging](#)
 - [SEC Continues to Keenly Monitor Insider Trading During COVID-19 Pandemic](#)
- **March 25**
 - [Is the COVID-19 Outbreak an "Act of God"? Why It May Matter for Your Contracts](#)
 - [FDA and USDA Food Safety Response to COVID-19 & DHS "Critical Infrastructure" Classification of Food and Agriculture Sector](#)
 - [Does Your Force Majeure Provision Extend to the Coronavirus?](#)
 - [Competition Authorities Across Europe Relax Competition Law Enforcement During COVID-19 Outbreak](#)
 - [COVID-19 Impacts Antitrust Deal Reviews: New Procedures and Delays](#)
- **March 24**
 - [Health Care Providers with Exposure to COVID-19: What You Need to Know](#)
 - [Regulators Further Clarify Guidance Regarding Loan Modifications and Reporting](#)
 - [Avoiding Antitrust Risk as Industries Respond to the Coronavirus: Businesses Look to Collaborate & Federal Government Offers Expedited Avenues](#)
- **March 23**
 - [FDA Continues to Accelerate Availability of COVID-19 Tests](#)
 - [CFTC Issues No-Action Letter Offering Regulatory Relief for CPOs](#)
 - [Building a Case for Force Majeure in Construction Contracts](#)

- **March 20**
 - [Employee Benefits & Executive Compensation Advisory: Coronavirus Impact on Health Benefits: A Deeper Dive](#)
 - [FDA Compliance & Enforcement Advisory: FDA Temporarily Postpones Routine Domestic Inspections](#)
- **March 19**
 - [Antitrust / Mergers & Acquisitions Advisory: COVID-19 Impacts Antitrust Deal Reviews: New Procedures and Delays](#)
 - [Construction Advisory: Five Best Practices for Construction Industry Stakeholders During the Coronavirus Pandemic](#)
 - [Labor & Employment Advisory: Employee Leave Requirements Under the Families First Coronavirus Response Act](#)
 - [Labor & Employment / Health Care Advisory: Coronavirus \(COVID-19\) FAQs for Employers](#)
- **March 18**
 - [Cyber Alert: Six Practical Tips for Practicing Cyberhygiene in the Middle of a Global Pandemic](#)
 - [Advisory: Are You an "Essential Business" in California Counties Where Shelter-in-Place Order Have Been Issued?](#)
- **March 17**
 - [Finance Advisory: Coronavirus and Securitization: Disclosure and Diligence Issues](#)
- **March 16**
 - [Securities Law Advisory: SEC Provides Guidance on the Possible Impacts of COVID-19 on Annual Meetings](#)
 - [Health Care / Cybersecurity Preparedness & Response Advisory: COVID-19 and HIPAA: Privacy, Security, and Breach Response During a Global Pandemic](#)
- **March 13**
 - [Financial Services & Products Advisory: FINRA Guidance: COVID-19 and Business Continuity Planning](#)
 - [Food, Drug & Device/FDA Advisory: FDA Seeks Help to Solve Personal Protective Equipment Shortages](#)
 - [Securities Litigation Advisory: Securities Litigation Risk Arising Out of the Coronavirus Pandemic](#)
- **March 12**
 - [FDA Compliance & Enforcement Advisory: FDA Postpones Foreign Inspections Through April 2020: Considerations for Industry](#)
- **March 10**
 - [Labor & Employment / Health Care Advisory: Coronavirus, Employers, and Domestic Travel: A Complicated Business Decision](#)
- **March 6**
 - [Securities Law Advisory: SEC Provides Conditional Relief to Companies Affected by COVID-19](#)

- **March 5**
 - [Health Care Advisory: Congress Expands Medicare Telehealth Benefit Amid Coronavirus Concerns](#)
- **February 28**
 - [Labor & Employment / Health Care Advisory: The Coronavirus: Employer and Workplace Considerations](#)