

Coronavirus *Flash Update*: Monday, June 8, 2020

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Note: *The Flash update is on a new schedule and will be distributed twice per week, Mondays and Thursdays.*

The Latest News

- **U.S. COVID-19 cases** exceed 1,935,848 and 109,009 U.S. deaths. (Source: CDC) (**Updated 6/8/20**)
- **U.S. stock market:** On Friday the markets ended the week with large gains, with the Dow rising 829 points, the S&P 500 up 81 points, and the Nasdaq gaining 198 points. Weekend trading in stock futures were pointing to more gains as of Sunday night. (**New**)
- On June 4, the President [announced an executive order](#) to **allow federal agencies to use COVID-19 emergency authority to bypass environmental regulation**, including “provisions of major environmental laws such as the National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and Clean Water Act (CWA) and their implementing regulations.” The order directs the agencies to compile reports to be submitted within 30 days identifying projects these emergency and other authorities may be used for to facilitate economic recovery. (6/4/20) (**New**)
 - In addition, the order directs:
 - Federal agencies to accelerate permitting for **important infrastructure projects** while providing appropriate protection for public health and safety.
 - The Department of **Transportation** will use their existing emergency authority to expedite the construction of highway and transportation projects.

- The **Interior Department, Agriculture Department, and the Army Corps of Engineers** are also directed to use their emergency authorities to accelerate projects.
- To understand the Executive Order's impact on infrastructure investments and environmental regulations read this A&B [advisory](#). (6/5/20) (**New**)
- On June 4, the Department of Labor's Bureau of Labor Statistics released its weekly **unemployment benefits report** showing 1.9 million new claims bringing the total to 42.6 million in 11 weeks. Also, on June 4 the Congressional Budget Office (CBO) released its analysis on the "[Economic Effects of Additional Unemployment Benefits of \\$600 per Week](#)". The CBO study was requested by Senate Finance Committee Chairman Charles Grassley (R-IA). The CARES Act granted a **temporary increase of \$600 per week** in the benefit amount provided by unemployment programs through July 31, 2020. In discussions around the next emergency stimulus bill, some congressional leadership have pushed to extend this temporary increase through the end of the year. (6/4/20) (**New**)
- The Medicaid and CHIP Payment and Access Commission (MACPAC) commissioned Mathematica to [catalog telehealth policies pre-COVID-19 and changes during the pandemic](#). MACPAC is an advisory arm of Congress and its role is to provide policy and reimbursement analysis and recommendations. (6/5/20) (**New**)

COVID-19 Federal & State Legislation

- **Bill 4.0:** On Friday, June 5, the President signed into law the **Paycheck Protection Flexibility Act**, (H.R. 7010), a bill to allow new Paycheck Protection Program flexibility by extending the loan period and timeline for repayment. The bill also revises some requirements for loan forgiveness. (6/5/20) (**New**)
 - To learn more, see this A&B [Summary of the Paycheck Protection Flexibility Act](#). (6/5/20) (**New**)
 - For the full details on the HEROES Act, H.R. 6800, which passed the House on May 15:
 - The text is available [here](#).
 - A [1-pager](#) and 71 page [section-by-section summary](#) are available here.
 - And an outline of the [state and local funding provisions](#) is here.
- **Bill 3.5: Paycheck Protection Program and Health Care Enhancement Act**, ([H.R. 266](#)) was 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 [Summary and Analysis](#) – CARES Act PPP & Other Business Funding Sources (**Updated 6/5/20**)
- 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](#) (**Updated 6/7/20**)
- A&B [Provider Relief Fund Disbursements tracker](#) (**Updated 6/7/20**)
- 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

Transition to “Reopening”

- **State/Other Actions**
 - For the latest information on state reopening decisions, see [A&B 50-State Openings tracker](#) - updated in each A&B Coronavirus Flash. (**Updated 6/5/20**)
 - Read ["What's In Store: Summer 2020"](#) for a look at **COVID-19 challenges for retailers**, including the transition to reopening, cyber threats, and financial loss. (6/5/20) (**New**)
- **Administration Actions**
 - The White House released an [Addendum](#) to the “Opening Up America Again Testing Blueprint.” The addendum is **focused on using tests for diagnosis and proactive surveillance**. (6/5/20) (**New**)
 - The Department of Labor’s Occupational Safety and Health Administration has [issued an alert](#) on safety for employers to follow to **protect stockroom and loading dock** workers in the **retail industry** from exposure to COVID-19. (6/2/20)
 - The CDC issued a new detailed [report](#) on its activities and initiatives that support the transition to reopening. (5/20/20)
 - The CDC updated or released guidance for reopening:
 - [Communities exposed to person with known or suspected COVID-19](#) (**Updated 6/5/20**)
 - [Postmortem and specimen guidance](#) (6/5/20) (**New**)
 - [Contact Tracing for Reopening](#) (**Updated 6/4/20**)
 - [CDC/OSHA Virus Protection Guidance for Agriculture Workers](#) (6/3/20)
 - [Fact Sheet on Keeping Workplaces, Homes, Schools or Commercial Establishments Safe](#) (6/3/20)
 - [Community-based testing sites](#) for the general public (**Updated 6/2/20**)
 - [Resuming Business Toolkit](#) (6/1/20)
 - [Child Care Programs](#) (6/1/20)

- [Institutes of Higher Education](#) (6/1/20)
- [Assisted Living Facilities](#) (**Updated 6/1/20**)

Federal Communications Commission

- The FCC has [approved](#) another \$16.46 million in **telehealth funding to health care providers**. (6/3/20)

Department of Health and Human Services

- The **Department of Health and Human Services (HHS)** Coronavirus [toolkit](#) page has been updated. (Updated 6/3/20)
- HHS has a **tracking feature that allows public viewing of all COVID-19 HHS grants** 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 6/4/20**)
- The Substance Abuse and Mental Health Services Administration (SAMHSA) [awarded](#) \$66 million in **grants to provide training, education, and resources to improve the delivery of mental and substance use disorder treatment**, especially for those impacted by COVID-19. (6/5/20) (**New**)
- The HHS BARDA Office [announced](#) it was expanding its partnership with MODERNATIX, Inc to **increase the domestic manufacturing capacity** of Moderna's mRNA-1273 vaccine. (6/5/20) (**New**)
- The HHS Administration on Children and Families (ACF) sent a [letter to grantees](#) to announce certain **flexibilities as a result of the pandemic**. (6/5/20) (**New**)
- The HHS ACF [announced](#) \$750 million in aid for Head Start as authorized by the CARES Act. The dollars are intended to **support programs for low-income children who have experienced disruption of services during the pandemic**. (6/4/20) (**New**)
- HHS released [new guidance requiring all laboratories](#), non-laboratory testing locations, and other facilities offering point-of-care testing or in-home testing to report **race, ethnicity, age** and sex along with the test results. (6/4/20) (**New**)
 - Jointly, the CDC [released an update](#) on the effects of COVID-19 on the health of racial and ethnic minorities. (6/4/20) (**New**)
- The HHS BARDA Office [announced a partnership](#) with Evidation Health to **monitor health care workers and first responders by leveraging de-identified, patient-generated health data** from existing wearable devices as an early warning of COVID-19. (6/4/20) (**New**)
- The HHS Office of the Assistant Secretary for Response and Preparedness (ASPR) released a [resource](#) document for hospitals during civil unrest. (6/3/20)
- ASPR releases a [document providing health care resources for secondary disasters](#). (6/3/20)
- ASPR has released [guidance on visitation to retirement communities](#). (6/3/20)
- ASPR has released a [fact sheet on rural health and COVID-19](#). ASPR also posted this more detailed document on [rural health and COVID-19](#). (6/3/20)

Centers for Disease Control and Prevention

- The Centers for Disease Control and Prevention (CDC) [COVIDView Weekly Summary](#) is available. (Updated 6/5/20)
 - The CDC weekly COVID [forecast](#). (Updated 6/4/20)
 - The CDC [U.S. testing data](#). (Updated 6/6/20)
 - The CDC [state-by-state funding](#) for state, tribal, territorial, and local funding. (Updated 6/2/20)
 - The CDC [updated](#) its information on **serology testing** for COVID-19 at CDC. (Updated 5/24/20)
 - The CDC [updated](#) its information on **contact tracing and case investigation**. (Updated 6/4/20)
- The CDC has released new guidance for:
 - [Interim laboratory biosafety guidelines](#) for handling and processing specimens – the [Biosafety FAQs](#) were also updated (6/5/20) (New)
 - [Animals and COVID-19](#) (6/5/20) (New)
 - [Populations at risk](#) (Updated 6/4/20)
 - [Contact Tracing Checklist for Health Departments](#) (6/4/20) (New)
 - [Interim Guidance for Clinicians caring for patients with confirmed infection with SARS-CoV-2](#) (6/3/20)
 - [Agricultural Workers](#) (6/3/20)
 - [Updated guidance for Healthcare Professionals](#) (6/3/20)
 - [COVID-19 and Newly Resettled Refugee Populations](#) (6/3/20)
- The CDC released a new [Impact of COVID-19 on Emergency Department Visits](#). (6/3/20)

Centers for Medicare & Medicaid Services

- The Centers for Medicare and Medicaid Services (CMS) latest [news alerts](#). (Updated 6/4/20)
 - And for the latest COVID-19 related CMS guidance and FAQs visit the CMS Current Emergencies [webpage](#). (Updated 6/5/20)
- CMS had [posted](#) the first set of **nursing home COVID-19 data resulting from data reporting and inspections**. They also provided [FAQs](#) to explain the data. (6/4/20) (New)
- CMS released a [notice](#) that additional flexibilities would be provided for Centers for Medicare and Medicaid Innovation payment models in response to the COVID-19 pandemic. A [fact sheet](#) summarizes the changes for each CMMI payment model. (6/3/20)
- CMS has updated its [Medicare Fee-for-Service Billing FAQs](#). (6/3/20)
- CMS has released [new testing guidance for the uninsured](#). This guidance includes information on enrollment, claiming and data reporting, and eligibility. CMS also has a [FAQs on the uninsured and state flexibilities](#). (6/3/20)
- CMS has [announced](#) enhanced enforcement actions based on nursing home data and inspection. (6/2/20)

HHS/CDC/CMS/HRSA CARES Act Provider Relief Funds

- The CDC has posted an [updated dataset](#) of **provider recipient specific payment** from the Provider Relief Fund **general distribution high impact targeted allocation and/or rural targeted allocation**. The dataset includes who has attested to receiving one or more payments and agreed to the terms and conditions as of June 3. \$49.875 billion of the \$72 billion allocated to these distribution pools has been attested to. (**Updated 6/5/20**)
 - HHS - the CARES Act Provider Relief Fund (PRF) [FAQs](#) (**Updated 6/3/20**) have been **updated and capture numerous modifications. These modifications include (New):**
 - Providers that affirmatively attested to PRF payments received may reject those funds and retract the attestation by calling the provider support line (866-569-3522).
 - **Providers that did not submit revenue information** (i.e., an application) for the \$20 billion (i.e., Round 2) General Distribution by June 3 are no longer eligible for a Round 2 payment. These providers will still be considered for future PRF payments.
 - HHS provided **clarity that the June 3 deadline to submit revenue information was only for providers who wanted to be considered for the Round 2 payment. Providers were not required to attest to Round 2 payments by June 3.** HHS reminds providers that they have 90 days from the receipt of Round 2 payment to attest and agree to the Terms and Conditions (this 90-day time period to attest and agree to the Terms and Conditions applies to all PRF payments).
 - By extension, this guidance indicates that providers were not required to submit revenue information by June 3 if they were not seeking a Round 2 payment.
 - While submitting revenue information appears to be required for all PRF payment recipients, HHS has not announced a specific deadline by which they must do so.
- HHS Provider Relief Fund [webpage](#). (**Webpage Updated 6/4/20**)
- HHS released Indian Health Service Provider Relief Fund allotment [Terms and Conditions](#). (6/2/20)
- The COVID-19 Provider Relief Fund – the A&B [General Distribution Attestation and Application Process Guide](#) has been updated. (Updated 5/27/20)
- HHS [released a statement](#) **extending the Provider Relief Fund attestation deadline for an additional 45 days**. This allows providers 90 days from the date they received a payment to accept the Terms and Conditions or return the funds. (5/22/20)
- The CARES Provider Relief Fund **hotline** is (866) 569-3522.

Food and Drug Administration

- FDA provides a **daily roundup on COVID-19** related actions. The latest [announcements](#). (**Updated 6/5/20**)

- FDA updated its [FAQs](#) on Testing for SARS-CoV-2, including posting a list of **antibody tests** that are being **removed** from the “notification list” of tests being offered. (**Updated 6/5/20**)
- FDA maintains its COVID-19 [FAQs](#) for the general public. (**Updated 6/3/20**)
- FDA [webpage](#) for health professionals. (6/2/20)
- The agency also maintains a [public database](#) of drug shortages. (**Updated 6/5/20**)
- The FDA [reissued an emergency use authorization](#) revising which **types of respirators can be decontaminated for reuse**. (6/7/20) (**New**)
- The FDA has developed a [resource](#) on **testing supply substitution strategies**. (6/5/20) (**New**)
- The FDA announced a [webinar series on respirators for health care personnel use](#). The webinars begin on **June 9, 2020, 12:00pm – 1:00pm ET**. (6/5/20) (**New**)
- The FDA [announced](#) it had issued an emergency use authorization to Roche Diagnostics for Elecsys IL-6, an in vitro diagnostic test for the quantitative measurement of IL-6 in human serum and plasma. (6/5/20) (**New**)
- The FDA [approved a new antibiotic](#) to **treat hospital-acquired bacterial pneumonia** and ventilator-associated bacterial pneumonia. (6/5/20) (**New**)
- The FDA [approved](#) a new drug to **treat ventilated patients**. (6/5/20) (**New**)
- The FDA is [launching a new webpage](#) to highlight **resources to protect public health** during COVID-19. (6/4/20) (**New**)
- FDA [released a notification for health professionals](#) about the temporary absence of the “paralyzing agent” warning statement embossed on the vial caps of two neuromuscular block agents which have been in increased **use for ICU patients during the pandemic**. (6/4/20) (**New**)
- FDA [updated its guidance](#) on conduct of clinical trials of medical products during the COVID-19 public health emergency. (6/4/20) (**New**)
- The FDA has [added two ventilators developed by NASA](#) to the list of authorized ventilators, ventilators tubing connectors, and ventilators accessories. The same list notes a new emergency resuscitator for the Fitbit Flow. (6/3/20)
- The FDA has released updated [guidance](#) for institutional review boards to expand patient access during the COVID-19 emergency. (6/3/20)
- FDA [Resources for Healthcare Professionals](#). (6/3/20)

Health Resources and Services Administration

- The Health Resources and Services Administration (HRSA) has [awarded \\$20.3 million to expand addiction workforce](#) in underserved communities where the pandemic has increased the need. (6/2/20)
- HRSA provides COVID-19-related information, resources, and FAQs [here](#). HRSA has updated its progress reports including FAQs on health center reporting. (**Updated 6/4/20**)

Department of Homeland Security/FEMA/DOD

- The **Department of Homeland Security (DHS)** posts a [weekly update](#) of its response to COVID-19. (**Updated 6/1/20**)

- FEMA has [released a fact sheet](#) on COVID-19 and historic preservation compliance. (6/5/20) **(New)**
- FEMA releases the latest [state-by-state data on PPE](#). (6/5/20) **(New)**

Department of Justice/Federal Trade Commission/Litigation

- The **Department of Justice** maintains an **anti-price gouging & anti-fraud** [webpage](#) with information on reporting complaints and resources on prevention. **(Updated 6/6/20)**
- **Litigation:** On May 29, a Georgia woman [pled guilty](#) for **violating the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) by selling an unregistered pesticide**, “Toamit Virus Shut Out,” which she **claimed protected against viruses, such as COVID-19 on eBay**. The pesticide took the form of a card-shaped device to be worn around the user’s neck and was marketed as a “layer of safety protection effect, thus reducing the risks and probability of infection and transmission.” The FIFRA authorizes the Environmental Protection Agency (EPA) to regulate the production, sale, distribution, and use of pesticides in the United States. The Environment and Natural Resources Division’s Environmental Crimes Section prosecuted the defendant because Toamit Virus Shut Out was not registered with EPA, and it is illegal to distribute or sell unregistered pesticides. Defendant imported the pesticide from Japan and later sold it to individuals around the United States. Defendant will be sentenced June 29.

Small Business Administration

- **Small Business Administration (SBA)** – In response to the **CARES Act** requirements, the SBA **Paycheck Protection Program (PPP)** [website](#) has updated its [FAQs](#) for lenders and borrowers. (Updated 5/27/20)
 - The SBA [released](#) the Paycheck Protection Program **Loan Forgiveness process**, which includes the [application and instructions](#). (5/15/20)
 - The SBA, jointly with the Department of Treasury, released an [interim final rule](#) on eligibility of **certain telephone cooperatives**. (6/5/20) **(New)**
 - The SBA, jointly with the Department of Treasury, [released the interim final rule](#) for the PPP **loan forgiveness process**. (5/22/20)
 - The SBA also [released the interim final rule](#) the PPP **loan review procedures and borrowing responsibilities**. (5/22/20)
 - [Summary](#) of Paycheck Protection Program Lending **(Updated 6/1/20)**

Department of Treasury/IRS/Federal Reserve

- The Department of Treasury [website](#) for **CARES Act** business assistance programs.
- The Internal Revenue Service has released [guidance](#) on COVID-19 related tax relief for **Qualified Opportunity Funds (QOFs)**. (6/4/20) **(New)**
- The Federal Reserve [announced](#) an expansion in the number and type of entities eligible to directly use its **Municipal Liquidity Facility program**. Under the new terms all states will be able to have at least two cities or counties eligible to directly issue notes to the Municipal Liquidity Facility regardless of population. (6/3/20)

- The Internal Revenue Service (IRS) [announced](#) a temporary administrative **relief to help certain retirement plan participants or beneficiaries** who need to make plan elections remotely by allowing remote signatures. (6/3/20)
- A&B Federal Tax Group provides guidance on a **little-known rule that could allow disaster losses from 2020's COVID-19 pandemic to be used as losses for 2019**. Read more [here](#). (6/1/20)

Other Agencies

- The U.S. **Department of Agriculture** (USDA) has posted an update, [First Coronavirus Food Assistance Program](#) which remains open for applications until August 28, 2020. The webpage also provides updated [FAQs](#) on the program. (6/1/20) (**New**)
- The **Department of Education** has [announced](#) it will set aside nearly \$3 billion authorized by the CARES Act Education Stabilization Fund to award grants to governors for elementary and secondary education. (6/4/20) (**New**)
- The **Environmental Protection Agency's** (EPA) Office of Enforcement and Compliance Assurance issued a [compliance advisory](#) on **products claiming to kill coronavirus**. The advisory states that products claiming to kill viruses are pesticides and must be registered with EPA. The advisory also notes that EPA is receiving tips and complaints about pesticidal products with potentially false or misleading claims and is considering enforcement actions. (5/29/20) (**New**)
- The Department of Housing and Urban Development's **Federal Housing Administration** (FHA) [announced a new, temporary policy](#) that provides guidance for lenders to obtain FHA insurance endorsements on mortgages where the borrower has requested or obtained a COVID-19 forbearance. (6/4/20) (**New**)
- The U.S. Department of Transportation released a [statement on Adjustment to Service Obligations](#), finalizing its tentative decisions to **allow air carriers to incrementally adjust** their service obligations in light of ongoing challenges due to COVID-19. (6/4/20) (**New**)
- The Department of Veteran's Affairs has [announced](#) it will **resume committal services** starting on June 9 in nearly all VA national cemeteries. (6/5/20) (**New**)

Trade and International Business Issues

- **U.S. Customs and Border Protection (CBP) seizing counterfeit and unapproved COVID-19 Treatment Products.** [CBP](#) continues to identify and seize large numbers of counterfeit or unapproved COVID-19 treatment products. Through June 1, CBP seized more than 107,300 FDA-prohibited COVID-19 test kits, 750,000 counterfeit face masks, 2,500 prohibited anti-virus lanyards, and 11,000 FDA-prohibited chloroquine tablets. (6/5/20) (**New**)
- The **USTR: "A post-coronavirus pandemic U.S. industrial policy"** U.S. Trade Representative Robert Lighthizer said the United States should establish a post pandemic industrial policy, such as by increased tariffs and subsidies, to restore supply chains in a time of crisis to achieve more independence on material that is "really important to the country," during a [webinar](#) hosted by the Economics Club of New York on June 4. (6/4/20) (**New**)
- **World Trade Organization (WTO) looks at impact of COVID-19 pandemic on trade in services, such as tourism, transport, retail, and health.** A WTO [report](#) highlighted that the pandemic has

led to greater reliance on online services in many sectors as consumers develop new habits with social distancing measures. The report noted that disruption in the supply of services had an impact on social and economic inclusiveness, as well as that trade of services such as telecommunications and computing will be key to economic recovery globally. (5/28/20) (**New**)

- The North Atlantic Treaty Organization (NATO) issued a [statement](#) on the “destabilizing and malicious cyber activities” directed against the health care sector during the pandemic. (6/3/20)

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. (**Updated 6/5/20**)
- **New claims pertaining to COVID-19 and business interruption losses** continue to be filed, while dispositive motion practice has kicked off in some previously-filed actions. Notable filings and orders include:
 - On May 29, **In-N-Out Burgers filed suit against its insurer Zurich American Insurance Company** in the Central District of California, alleging that it was prohibited by government order to provide dine-in services, that it suffered business interruption losses despite being able to continue drive-through operations, and that Zurich wrongfully denied its claims for business interruption coverage. In-N-Out argues that its policy “expressly includes coverage for many type of contamination, including . . . virus, pathogen, or pathogenic organism, and disease-causing illness or agent.” In-N-Out seeks damages for breach of contract and a declaratory judgment outlining the scope of Zurich’s obligation to pay under the policy. The case is *IN-N-Out Burgers v. Zurich Am. Ins. Co.*, No. 8:20-cv-1000 (C.D. Cal.). (**New**)
 - On June 2, **Geragos & Geragos APC (“Geragos”) moved to dismiss the declaratory judgment action filed by Travelers Casualty Insurance Company** of America in the Central District of California. Geragos argues that dismissal is warranted because Travelers has engaged in forum shopping by filing the action in federal court after Geragos had filed several suits on behalf of itself and various clients in California state court, and that the Central District should decline to entertain the suit as it raises “novel and unsettled questions of state law” better resolved by the state courts. The case and docket entry are *Travelers Cas. Ins. Co. of Am. v. Geragos & Geragos APC*, No. 2:20-cv-03619-PSG-E (C.D. Cal.), Dkt. 16. (**New**)
 - On June 3, **Flor Expo LLC and Kendal Floral Supply, LLC filed suit against their insurer Travelers Property Casualty Company** of American in the Southern District of California, alleging that the insurer used COVID-19 as a pretense to deny Plaintiffs claims for physical loss of flower inventory in a form-denial letter, despite Plaintiffs allegedly not having referenced either COVID-19 or business interruption in their claim submissions. Instead, Plaintiffs allege that government orders prohibited Plaintiffs from accessing their warehouses where imported flowers were stored, and Plaintiffs were unable to move their inventory before it perished. Plaintiffs seek declaratory relief and damages for breach of contract and breach of the covenant of good faith and fair dealing. The case is *FlorExpo LLC et al. v. Travelers Prop. Cas. Co. of Am.*, No. 3:20-cv-01024-JLS-DEB (S.D. Cal.). (**New**)

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:

What You Should Know:

- [How to Protect Yourself & Others](#)
- [How COVID-19 Spreads](#)
- [Frequently Asked Questions](#)
- [Social Distancing](#)
- [Quarantine and Isolation](#)
- [Use of Cloth Face Coverings to Help Slow the Spread of COVID-19](#)
- [When to Wear Gloves](#)
- [What to Do If You Are Sick with COVID-19](#)
- [Symptoms](#)
- [Facts about COVID-19](#)
- [Testing for COVID-19](#)
- [Test for Current Infection](#)
- [Guidance Documents](#)

Information for Businesses:

- [Information for Communities, Schools, and Businesses](#)
- [Workplaces during the COVID-19 Pandemic](#)
- [Restaurants and Bars during the COVID-19 Pandemic](#)
- [Cleaning and Disinfecting Your Facility](#)
- [Worker Safety and Support](#)
- [COVID-19 Critical Infrastructure Sector Response Planning](#)
- [Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19](#)
- [Interim Guidance for Businesses and Employers](#)
- [Prepare your Small Business and Employees for the Effects of COVID-19](#)
- [General Business Frequently Asked Questions](#)
- [Interim Guidance on Respirator Supply in Non-Healthcare Sectors](#)
- [Information for Small Businesses](#)
- SBA: [COVID-19 Resources](#)
- Treasury: [Assistance for Small Businesses](#)
- DOL: [Guidance for Preparing Workplaces for Coronavirus](#)
- DOL: [COVID-19 and the American Workplace](#)
- DOL: [OSHA Resources for Workers and Employers on COVID-19](#)
- WHO: [Get Your Workplace Ready for COVID-19](#)
- CISA: [Risk Management for COVID-19](#)
- CISA: [Telework Guidance and Resources](#)

- CISA: [Guidance on the Essential Critical Infrastructure Workforce](#)

Information for Travel and Transportation:

- [Information for Travel](#)
- [Travel in the United States](#)
- [Public Health Considerations for Reopening Mass Transit During the Covid-19 Pandemic](#)
- [COVID-19 Travel Recommendations by Country](#)
- [Travel Restrictions to Prevent the Spread of Disease](#)
- [Airline Guidance](#)
- [Cruise Ship Guidance](#)
- [Cargo Ship Guidance](#)
- [Maritime Resources](#)
- [Returning from International Travel](#)
- [Travelers Returning from Cruise Ship and River Cruise Voyages](#)
- [Travel: Frequently Asked Questions and Answers](#)
- [Travelers Prohibited from Entry to the United States](#)
- [Communication Resources for Travelers](#)
- State: [Travel Advisories](#)
- State: [Traveler's Checklist](#)
- State: [Smart Traveler Enrollment Program](#)
- DOT: [FAQs from FTA Grantees Regarding COVID-19](#)
- DOT: [Expanded Emergency Declaration](#)
- FAA: [Guidance for Air Carriers and Crews](#)

Information for Healthcare Providers, First Responders, and Research Facilities:

- [Information for Healthcare Professionals](#)
- [Guidance for U.S. Healthcare Facilities](#)
- [Evaluating and Testing](#)
- [Staffing Resources](#)
- [Clinical Care Guidance for Healthcare Professionals](#)
- [Infection Control Guidance for Healthcare Professionals](#)
- [Preparedness Tools for Healthcare Professionals](#)
- [Strategies to Optimize the Supply of PPE and Equipment](#)
- [Potential Exposure in a Healthcare Setting](#)
- [First Responder Guidance](#)
- [Resources for Responders & Law Enforcement](#)
- [Training for Healthcare Professionals](#)
- [Information for Pediatric Healthcare Providers](#)
- [Clinical Questions about COVID-19: Questions and Answers](#)
- [Support for Health Departments](#)
- [Pandemic Preparedness Resources](#)
- [Reporting Cases of COVID-19](#)

- [Guidance for Public Health Professionals Managing People with COVID-19 in Home Care and Isolation Who Have Pets or Other Animals](#)

Information for Community Events and Gatherings:

- [Interim Guidance for Mass Gatherings and Large Community Events](#)
- [Event Planning and COVID-19: Questions and Answers](#)

Alston & Bird Coronavirus Links

- Alston & Bird Coronavirus [Response & Relief](#) 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)
 - **May 29**
 - [Environment, Land Use & Natural Resources Advisory: Emergency Rule 9 Amendment Provides Deadlines for Statutes of Limitations](#)
 - **May 22**
 - [A&B Environment and Land Use Briefing: COVID-19 Articles Included](#)
 - **May 21**
 - [Prescribing Paid Sick Leave -- An Important Tool for Primary Care During the Pandemic: JAMA Health Forum](#)
 - **May 18**
 - [International Tax Advisory: Proposed Treasury Regulations Clarify UBTI "Silo" Rule](#)
 - [Financial Services Litigation / Financial Services & Products Advisory: CFPB Reflects on the Impact of COVID-19 and Provides a Window into Future Enforcement](#)
 - **May 15**
 - [A&B Investment Management Updates, including items reflecting the impact of the coronavirus pandemic.](#)
 - **May 12**
 - [Finance Advisory: Ginnie Mae Extends PTAP/C19 Assistance to Multifamily MBS Program](#)
 - [A&B Guide to Telehealth Waivers and Regulatory Flexibilities](#)
 - [The Digital Download -- Alston & Bird's Privacy & Data Security Newsletter](#)
 - **May 8**
 - [Finance Advisory: ESG During the Coronavirus Crisis -- Should You Care?](#)
 - [Health Care / Privacy & Data Security Advisory: Expansive Interoperability and Data-Sharing Requirements Require Attention Despite Delays in Enforcement](#)
 - [Financial Restructuring & Reorganization Advisory: Delaware Courts Leery of Shareholder Obstruction](#)
 - **May 6**
 - [Finance Advisory: Federal Reserve Revises Main Street Lending Program, Adds Third Option](#)
 - **May 5**

- [Finance Advisory: Brexit and Its Potential Impact on Cross-Border Litigation Throughout Europe](#)
- [Investment Management Advisory: Update on Relief Under the CARES Act for Fund Managers](#)
- **May 4**
 - [Food, Drug & Device/FDA Advisory: Examining the Drug Supply Chain -- How the Public Health Emergency Impacts DSCSA](#)
- **April 30**
 - [College & Universities Advisory: Schools Face Class Action as Parents and Students Sue for Refunds](#)
 - [White Collar Government & Internal Investigations Advisory: New PPP Funding Ups Ante for Compliance Failure--Audits on the Horizon](#)
- **April 29**
 - [Health Care / Health Care Litigation Advisory: COVID-19 A Tipping Point for Telehealth Expansion](#)
- **April 28**
 - [Labor & Employment Advisory: The New Executive Order Suspends Entry of Immigrant Visa Applicants into the U.S. for 60 days](#)
- **April 24**
 - [Commercial Litigation Advisory: COVID-19 Impacts on Statutes of Limitations](#)
- **April 23**
 - [International Trade & Regulatory Advisory: FEMA Issues Guidance on Exemptions for Critical PPE Export Restrictions](#)
- **April 22**
 - [Labor & Employment Advisory: Developing a Plan to Bring Your Employees Back to Work](#)
- **April 21**
 - [Financial Advisory: Forbearance Agreements in the age of COVID-19 and National Shelter-in-Place Orders](#)
 - [Antitrust / Mergers & Acquisitions / International Trade & Regulatory Advisory: COVID-19 Affect European Foreign Direct Investment Reviews: New EU Guidance Potentially Heralds Increased Protectionism](#)
- **April 20**
 - [Financial Advisory: FHFA Limits Servicer Advancing Obligations for Loans in COVID-19 Forbearance](#)
- **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](#)