

## Coronavirus *Flash Update*: Monday, June 22, 2020

COVID-19 Federal & State Legislation.....	2
Transition to “Reopening” .....	3
Department of Health and Human Services.....	3
HHS/CDC/CMS/HRSA CARES Act Provider Relief Funds.....	4
Centers for Disease Control and Prevention .....	5
Centers for Medicare & Medicaid Services .....	6
Food and Drug Administration .....	6
Department of Homeland Security/FEMA .....	7
Department of Justice/Federal Trade Commission/Litigation .....	7
Small Business Administration.....	8
Department of Treasury/IRS/Federal Reserve.....	8
Other Agencies .....	9
Business Insurance Issues Related to COVID-19 .....	10

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 2,270,405 and 118,117 U.S. deaths. (Source: CDC) (**Updated 6/22/20**)
- **U.S. stock market:** On Friday the markets ended with mixed results for the day, with the Dow down 208 points, the S&P 500 down 17 points, and the Nasdaq up 3 points. Weekend trading in stock futures were pointing to losses as of Sunday night. (**New**)
- President Trump has scheduled an event today to make visa changes and is expected to issue an executive **order prohibiting the entry into the U.S. of various nonimmigrant workers, including H-1B, H-2B, L-1, and J-1 visa holders**. The ban is expected to last 120-180 days and is expected to apply to those currently living abroad. (6/22/20) (**New**)
- The Department of Treasury announced jointly with the Small Business Administration [a statement](#) that they **would release business names and loan range for PPP Loans**, as well as demographic and location information. The announced noted that steps would be taken to protect personally identifiable information responding to initial concerns about proprietary or confidential data on recipients. (6/19/20) (**New**)
  - After noting that some PPP loan applicants could not find lenders, the SBA has launched a [Lender Match](#) tool to **aid small businesses and non-profits to be matched** with Community Development Financial Institutions (CDFIs), Minority Depository Institutions (MDIs), Certified Development Companies (CDCs) Farm Credit System lenders, microlenders, and traditional smaller asset size lenders. (6/19/20) (**New**)

## COVID-19 Federal &amp; State Legislation

- **Bill 4.0:** Last Thursday, the House Democratic leadership announced a **\$1.5 trillion infrastructure plan which outlines investments in bridges, water systems, roads, and other infrastructure**. The House Ways and Means Committee released a [fact sheet](#) summarizing the details of the proposal which includes tax code changes to permanently reinstate Build America Bonds and Advance Refunding Bonds, and the expansion of the issuance of Private Activity Bonds. A vote may be scheduled for the week of July 6. (**New**)
  - The HEROES Act was the first formal offer on a new emergency stimulus bill, 4.0: For the full details on the HEROES Act, H.R. 6800, which passed the House on May 15:
    - The HEROES Act 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.
- The **Paycheck Protection Flexibility Act, H.R. 7010**, was enacted on June 5. To learn more, see this A&B [Summary of the Paycheck Protection Flexibility Act](#). (6/5/20)
- **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 6/21/20**)
    - A&B [Provider Relief Fund Disbursements tracker](#) (**Updated 6/21/20**)
    - 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 Reopening tracker](#) - updated in each A&B Coronavirus Flash. (**Updated 6/18/20**)
- **Administration Actions**
  - The CDC [key strategies](#) for meat and poultry processing facilities, and [interim guidance](#) for meat and poultry workers jointly from the CDC and OSHA. (6/18/20) (**New**)
  - The Department of Labor with the CDC have released [guidance on Returning to Work](#). (6/18/20) (**New**)
  - The Department of Labor [announced](#) it will offer a webinar in Spanish for agricultural employers and employees in California regarding paid sick and medical leave benefits. The webinar is June 23. (6/18/20) (**New**)
  - The Department of Homeland Security [extends the non-essential travel restrictions between the US and Canada and the U.S. and Mexico](#). (6/16/20)
  - The Department of Labor has released [guidance](#), in **16 languages, on the seven steps** to correctly wearing a mask. (6/16/20)
  - The Department of Health and Human Services has announced an **initiative to make face coverings available for community-based organizations at no cost**. More information on how to [how to order can be found here](#). (6/16/20)
    - The CDC has also provided updated [information](#) for community-based organization on how to resume activities. (Updated 6/15/20)
  - 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:
      - [Reopening Resources for Businesses and Workplaces](#) (**Updated 6/19/20**)
      - [Casinos and Gaming Operations](#) (6/18/20) (**New**)
      - [Critical Infrastructure Workers](#) (Updated 6/18/20)
      - [How COVID-19 Spreads](#) (Updated 6/16/20)
      - [Travelers Prohibited from Entry to the US](#) (6/15/20)

### Department of Health and Human Services

- The **Department of Health and Human Services (HHS)** Coronavirus [toolkit](#) page has been updated. (Updated 6/17/20)
- 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 6/18/20**)
- The HHS Assistant Secretary for Preparedness and Response [released guidance](#) on considerations for resumption of services for health care facilities. (6/19/20) (**New**)
- The HHS Office of Biomedical Advanced Research and Development Authority (BARDA) has [announced](#) a new partnership with Empatica to develop and seek FDA’s EUA for Aura, a

wearable system and algorithm seeking to be used as an early warning platform for COVID-19 infection. (6/19/20) (**New**)

- BARDA has announced a [partnership](#) with the DoD JPEO-CBRN and Corning Incorporated for the rapid expansion of domestic capacity to manufacture high-quality tubing, glass, and cartridges for vaccines. (6/19/20) (**New**)
- The HHS Health Resources and Services Administration [announced \\$107.2 million in awards](#) to increase the health workforce in rural and underserved communities. (6/18/20) (**New**)
- The National Institutes of Health Director, Francis Collins, MD, [posted a blog](#) on a new study addressing how genes and blood type are tied to risk of severe COVID-19. (6/18/20) (**New**)
- BARDA has [announced](#) a partnership with Ortho Clinical Diagnostics to further the development of two automated antibody tests for COVID-19. (6/17/20)
- BARDA has [announced](#) a partnership with Immunexpress Inc. to determine the risk of sepsis in COVID-19 in hospital emergency departments or ICUs. (6/16/20)
- HHS has released a [fact sheet on Operation Warp Speed](#), the initiative to find a COVID-19 vaccine by January 2021. (6/16/20)
- The HHS Administration for Community Living (ACL) has [updated its COVID-19 Resources webpage](#). (Updated 6/16/20)

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

- HHS has posted a [resource on Provider Relief Fund disbursements](#) to serve as summary of the key details. (6/18/20)
- HHS [announced three new Provider Relief Fund allotments](#) completing the initial \$100 billion authorized by the CARES Act. The additional \$75 billion for the Provider Relief Fund authorized by the Paycheck Protection and Healthcare Enhancement Act remains to be distribution and neither the breakdown nor the disbursement formulas are known. (6/9/20) The three new allotments are:
  - \$10 billion for **safety net hospitals**. HHS has [posted the state-by-state breakdown](#). (6/9/20)
    - HHS has provided additional detail on the [Safety Net definitions and data source methodology](#). (6/16/20)
    - HHS [released additional information](#) on the hospital safety net distribution, clarifying that HHS had extracted information from the CMS Hospital Cost Reports and Provider Specific Files to identify acute care facilities and children's hospitals that met each of the following criteria, respectively: (6/11/20)
      - **Acute Care Facilities:** A Medicare Disproportionate Patient Percentage of 20.2% or greater; Annual uncompensated care of at least \$25,000 per bed; and Net Operating Margin of 3.0% or less.
      - **Children's Hospitals:** A Medicare Disproportionate Patient Percentage of 20.2% or greater; Net Operating Margin of 3.0% or less.
  - \$10 billion is a **second round funding for hot spot hospitals**.
  - \$15 billion for **Medicaid and Children's Health Insurance Program (CHIP) providers** that participate in state Medicaid and CHIP programs and have NOT received a payment from the Provider Relief Fund General Allocation. The Provider Relief Fund [Portal](#) is open to

allow eligible Medicaid and CHIP providers to report their annual patient revenue, which will be used as a factor in determining their payment. The final amount each provider will receive will be determined after the data is submitted, including information about the number of Medicaid patients providers serve. (**Updated 6/19/20**)

- HHS - the CARES Act Provider Relief Fund (PRF) [webpage](#) and [Portal](#) (Updated 6/17/20)
  - HHS expects to distribute \$15 billion to eligible Medicaid and CHIP providers through the Provider Relief Fund. **Join the webcast to learn more about the application process.** Please pre-register to reserve a spot on your preferred date:
    - [Tuesday, June 23 at 2:00 PM ET](#)
    - [Thursday, June 25 at 2:00 PM ET](#)
  - And the PRF [FAQs](#) (**Updated 6/16/20**) have been **updated and capture numerous modifications.**
- 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 18. \$31.569 million has been paid for testing and \$154.975 million has been paid for treatment. (**Updated 6/18/20**)
- The COVID-19 Provider Relief Fund – the A&B [General Distribution Attestation and Application Process Guide](#) has been updated. (Updated 5/27/20)
- The CARES Provider Relief Fund **hotline** is (866) 569-3522.

## Centers for Disease Control and Prevention

- The **Centers for Disease Control and Prevention (CDC)** COVIDView [Weekly Summary](#) is available. (**Updated 6/19/20**)
  - The CDC weekly COVID [forecast](#). (Updated 6/17/20)
  - The CDC [U.S. testing data](#). (**Updated 6/19/20**)
  - The CDC [updated](#) its information on **contact tracing and case investigation.** (**Updated 6/21/20**)
  - The CDC has developed a [laboratory test kit for use in testing patient specimens](#). (6/14/20)
- The CDC has [updated its guidance](#) for nursing homes and other long-term care facilities. (6/19/20) (**New**)
- The CDC [announced](#) a SARS-CoV-2 Sequencing for Public Health Emergency Response, Epidemiology, and Surveillance (SPHERES), a new genomics consortium to coordinate SARS-CoV-2 sequencing across the United States. (6/18/20) (**New**)
- The CDC has updated its [correctional and detention facilities FAQs](#). (6/17/20)
- The CDC has [released a new tool](#) called COVIDTracer 1.0 which is a spreadsheet-based tool to allow state and local public health officials compare three different contact tracing/monitoring strategies. (6/16/20)
- The CDC has [updated its FAQs for laboratories](#). (Updated 6/13/20)
- The CDC has updated its [provider resources for caring for patients](#). (Updated 6/13/20)
- The CDC has released new guidance for:

- [Contact Tracers](#) (**Updated 6/21/20**)
- [Postmortem Guidance for COVID-19](#) (6/17/20)
- [Dental Settings](#) (6/17/20)
- [Contact Tracing for Health Departments](#) (Updated 6/17/20)
- [Spanish Version: Implementing Home Care for COVID-19 Patients](#) (6/17/20)
- [Environmental Health Practitioners](#) (Updated 6/16/20)
- [Working with Global Partners on COVID-19](#) (6/16/20)
- [Handlers of Service and Therapy Animals](#) (6/16/20)
- [Investigating COVID-19 cases](#) (Updated 6/16/20)

## Centers for Medicare & Medicaid Services

- The **Centers for Medicare and Medicaid Services (CMS)** latest [news alerts](#). (**Updated 6/19/20**)
  - And for the latest COVID-19 related CMS guidance and FAQs visit the CMS Current Emergencies [webpage](#). (**Updated 6/19/20**)
- CMS [announced](#) the membership of the 25 individuals to serve on the independent [Coronavirus Commission on Safety and Quality in Nursing Homes](#). The Commission will seek an independent review and comprehensive assessment of nursing homes' responses to COVID-19, and a report is due September 1. (6/19/20) (**New**)
- CMS [announced](#) it has instructed Medicare Administrative Contractors and notified Medicare Advantage plans to cover COVID-19 laboratory tests for nursing home residents and patients. Medicare Advantage plans must continue not to charge cost sharing or apply prior authorization or other utilization management requirements for COVID-19 tests and testing-related services. (6/19/20) (**New**)
- CMS has [released FAQs](#) on exceptions for dialysis facilities affected by COVID-19. (6/18/20) (**New**)
- CMS has updated its Medicare Fee-for-Service billing [FAQs](#). (**Updated 6/19/20**)
- CMS has posted a [Toolkit on State Actions to Mitigate](#) COVID-19 Prevalence in Nursing Homes. (6/17/20)
- CMS has updated its [1135 waiver information](#). (6/16/20)

## Food and Drug Administration

- **FDA** provides a [daily roundup on COVID-19](#) related actions. (**Updated 6/19/20**)
  - **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 6/19/20**)
  - **FDA** [FAQs](#) on Asymptomatic testing for COVID-19. (**Updated 6/19/20**)
  - **FDA** maintains its COVID-19 [FAQs](#) for the general public. (**Updated 6/19/20**)
  - **FDA** [webpage](#) for health professionals. (**Updated 6/19/20**)
  - The agency also maintains a [public database](#) of drug shortages. (**Updated 6/19/20**)
  - The FDA has published a new [webpage on COVID-19 Educational Resources](#). (Updated 6/12/20)

- The FDA [advises consumers](#) not to use any hand sanitizer manufactured by Eskbiochem. (6/19/20) (**New**)
- The FDA [published FAQs](#) on food labeling requirements during COVID-19. (6/18/20) (**New**)
- The FDA [announced steps to harness real-world data](#) in its response to COVID-19. (6/18/20) (**New**)
- The FDA [issued warning letters](#) to three companies for fraudulent COVID-19 products: Medakit, Ltd., Antibodiescheck.com and Yama Group, and Dr. Jason Korkus, DDS and Sonrisa Family Dental. (6/17/20) (**New**)
- The FDA [issued warning letters](#) to three companies marketing adulterated and misbranded COVID-19 antibody tests. (6/17/20)
- The FDA [announced](#) a new process for facilitating diagnostic testing availability for asymptomatic testing and sample pooling by posting a [molecular diagnostic template](#) for manufacturers and laboratories. (6/17/20)
- The FDA has revised its [Remdesivir fact sheet](#) for health care providers to warn of potential drug interactions as well as clarifying under what circumstances the unapproved remdesivir is permitted emergency use for COVID-19. (Updated 6/15/20)
- The FDA [revoked emergency use authorization](#) for the Chembio Diagnostic System, Inc. antibody test due to performance concerns with test accuracy. (6/17/20)

## Department of Homeland Security/FEMA

- The **Department of Homeland Security (DHS)** posts a [weekly update](#) of its response to COVID-19. (**Updated 6/15/20**)
- The Federal Emergency Management Administration (FEMA) has [cancelled the annual national test](#) called the 2020 Integrated Public Alert & Warning System due to the ongoing pandemic response. (6/19/20) (**New**)
- FEMA [announced it was phasing out](#) Project Airbridge. Project Airbridge served as FEMA's program to shorten medical supply distribution for key COVID-19 supplies. (6/19/20) (**New**)
- The DHS, jointly with the Department of Justice, [announced](#) that Migrant Protection Protocol (MPP) hearings would resume on July 17. (6/16/20)

## Department of Justice/Federal Trade Commission/Litigation

- The Federal Trade Commission filed a [complaint](#) on June 16 in U.S. District Court for the Eastern District of Louisiana against a Louisiana-based company that **allegedly deceived consumers with mailers that claimed to direct them on how to obtain federal COVID-19 stimulus benefits**, but instead lured them to a used car sale. The mailing envelopes were labeled "IMPORTANT COVID-19 STIMULUS DOCUMENTS" and led consumers to believe they could obtain stimulus relief temporarily in person at a "relief headquarters" in Florida. When consumers showed up to the address, they only found a lot hosting a car sale. The FTC is seeking injunctive relief to stop the defendants' actions and to require them to provide redress to their consumers. (6/16/20) (**New**)

## Small Business Administration

- Small Business Administration (SBA) [announced it had reopened](#) the **Economic Injury Disaster Loan** and the Advance Program to small businesses and nonprofits. (6/15/20)
- The SBA **Paycheck Protection Program** (PPP):
  - The SBA, jointly with the Department of Treasury, has [released a statement](#) that they will be releasing the business names and loan range, as well as demographic and location information. The announcement noted that steps would be taken to protect personally identifiable information. (6/19/20) (**New**)
  - The SBA has launched a [Lender Match](#) tool to aid small businesses and non-profits to be matched with Community Development Financial Institutions (CDFIs), Minority Depository Institutions (MDIs), Certified Development Companies (CDCs) Farm Credit System lenders, microlenders, and traditional smaller asset size lenders. (6/19/20) (**New**)
  - The SBA, jointly with the Department of Treasury, has [announced](#) a new EZ version loan forgiveness process for the Paycheck Protection Program. (6/17/20)
    - The EZ process has [EZ loan forgiveness instructions](#) and new [EZ version loan forgiveness application](#). (6/17/20)
  - The SBA has revised its [PPP loan forgiveness instructions](#) and [full loan forgiveness application](#). (6/17/20)
  - The SBA, jointly with the Department of Treasury, has [issued new and revised guidance](#) for the Paycheck Protection Program (PPP) which includes the expansion of eligibility for businesses with owners who have past felony convictions (lookback period reduced from 5 years to 1 year to determine eligibility), and it includes changes authorized by the Paycheck Protection Flexibility Act passed by Congress two weeks ago. (6/12/20)
    - [Interim Final Rule on Additional Revisions to the Frist Interim Final Rule for PPP](#) (6/12/20)
    - [Interim Final Rule on Revisions to the Third and Sixth Interim Final Rules](#) (6/17/20)
    - [New PPP Lender Application](#) (6/12/20)
  - [New PPP Borrower Application](#) (6/12/20)
  - SBA PPP [state-by-state data](#) (6/12/20)

## Department of Treasury/IRS/Federal Reserve

- The Department of Treasury [website](#) for **CARES Act** business assistance programs.
- The Internal Revenue Service (IRS) [released Notice 2020-50](#) to clarify the enhanced retirement plan distributions and plan loans as authorized under the CARES Act. This includes expanding the categories of individuals eligible for these types of distributions and loans and providing guidance on how qualified individuals will reflect the tax treatment of these distributions and loans on their federal income tax filings. (6/19/20) (**New**)
- The IRS [announced](#) new rules for health care spending flexibility as authorized under the CARES Act, including expansion of qualified medical expenses, and how telehealth is treated under high deductible spending health plans. (6/17/20)



- The recent IRS guidance to expand the medical condition exception, also provides a COVID-19 medical condition travel exception. A&B [translates this IRS guidance](#) to offer a better understanding of the IRS procedures and FAQs covered in the recent information. (6/16/20)
- The IRS [alerted nursing homes](#) that Economic Impact payment generally belong to the recipient, not nursing homes or care facilities. (6/16/20)
- The Department of Treasury released a [statement](#) on the opening of the lender registration for the Main Street Lending Program. The [full details and portal](#) were posted by the Federal Reserve Bank of Boston. (6/15/20)
- The Federal Reserve Board [announced](#) it will be seeking public feedback on a proposal to expand its Main Street Lending Program to provide **access to credit for nonprofit organizations**. The Main Street Lending Program minimum loan size is \$250,000 while the maximum loan size is \$300 million. Principal payments would be fully deferred for the first two years of the loan, and interest payments would be deferred for one year. (6/16/20)
  - Under the proposal, two loan options would be offered. Borrower eligibility requirements for the proposed nonprofit facilities would be modified from the for-profit facilities to reflect the operational and accounting practices of the nonprofit sector and include:
    - Minimum of 50 and maximum of 15,000 employees;
    - Financial thresholds based on operating performance, liquidity, and ability to repay debt;
    - An operational history of at least five years; and
    - A limit on endowments of no more than \$3 billion.
  - The deadline for feedback is Monday, June 22 and comments may be submitted [here](#).
- The Federal Reserve Board [announced](#) it **will resume examination activities for all banks**, after previously announcing a reduced focus on exam activity due to the pandemic. (6/15/20)
- The Federal Reserve Board [announced updates to the Secondary Market Corporate Credit Facility](#), which will begin buying a broad portfolio of corporate bonds to support market liquidity and the availability of credit for large employers. (6/15/20)

## Other Agencies

- The U.S. Department of Agriculture [announced](#) the purchase of more than \$2.2 billion of meat, fruits, vegetables, and special crops and dairy products for food and nutrition programs. (6/16/20)
- The Cybersecurity and Infrastructure Security Agency (CISA) has posted a [COVID-19 disinformation toolkit](#). (6/17/20)
- The Federal Communications Commission has [announced](#) another **62 telehealth funding** applications to health care providers totaling \$2.25 million. (6/17/20)
- The U.S. Department of Housing and Urban Development (HUD) Federal Housing Administration (FHA) [announced](#) an **additional two month extension of its foreclosure and eviction moratorium** through August 31 for homeowners with FHA-insured Single Family mortgages. (6/17/20)

- HUD has [announced the award](#) of nearly \$40 million in **housing counseling grants** to help individuals and families avoid foreclosure. (6/16/20)
- The Department of Labor [issued guidance](#) to help states protect against fraud in the unemployment insurance program. (6/16/20)

## Business Insurance Issues Related to COVID-19

- For a **50-state review of business interruption insurance related issues** see this new COVID-19 [Insurance Litigation and Regulatory Issues tracker](#). (**Weekly update 6/21/20**)
- On June 15, Lieff Cabraser Heimann & Bernstein, LLP filed a complaint on behalf of its client Atelier 1 2 3 Restaurant LLC dba Atelier Crenn against insurers Farmers Group Inc. and Truck Insurance Exchange alleging that Farmer’s Group Inc. wrongfully denied plaintiff’s claim for business interruption coverage. **Plaintiff argues that the denial of coverage was “part of a premeditated strategy by Defendant to deny all claims related to the ‘shelter in place’ orders and COVID-19.”** Plaintiff claims that the policies at issue provide coverage for several reasons, including because the shelter in place orders resulted in a loss of access to the insured premises necessitating a suspension of business operations. Plaintiff asserts claims for breach of contract, breach of covenant of good faith and fair dealing, unfair business practices under California’s Unfair Competition Law, and declaratory relief. The case is *Atelier 1 2 3 Restaurant LLC, et al. v. Farmers Group Inc., et al.*, No. CGC-20-584762 (San Francisco Cnty. Sup. Ct., filed June 15, 2020). (**New**)
- On June 15, Society Insurance moved to dismiss Rising Dough, Inc.’s putative class action alleging wrongful denial of business interruption coverage. **Society cited several grounds for dismissal including that the policy did not provide business income or extra expense coverage because COVID-19 did not cause “direct physical loss of or damage to covered property.”** Moreover, Civil Authority coverage did not exist because Plaintiffs’ alleged losses were not caused by an order of civil authority prohibiting access to the premises on grounds of either damage to other property or a dangerous physical condition. The docket entry is *Rising Dough, Inc. v. Society Insurance*, No. 2:20-cv-00623-JPS (E.D. Wis.), Dkt. No. 20. (**New**)

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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](#)
- [What to Do If You Are Sick with COVID-19](#)
- [Symptoms](#)
- [Facts about COVID-19](#)
- [Guidance Documents](#)

## **Information for Businesses:**

- [Information for Communities, Schools, and Businesses](#)
- [Workplaces during the COVID-19 Pandemic](#)
- [Cleaning and Disinfecting Your Facility](#)
- [Worker Safety and Support](#)
- [COVID-19 Critical Infrastructure Sector Response Planning](#)
- [General Business Frequently Asked Questions](#)
- [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](#)
- [Training for Healthcare Professionals](#)
- [Clinical Questions about COVID-19: Questions and Answers](#)
- [Pandemic Preparedness Resources](#)
- [Reporting Cases of COVID-19](#)

## 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)
  - **June 8**
    - [Into the Unknown: Employee Retention Credits Remain Murky](#)
  - **June 5**
    - [Environmental, Land Use & Natural Resources Advisory: President Issues Executive Order on Expediting Infrastructure Investments](#)
    - [What's in Store: A&B Review of the Challenges for Retailers During COVID-19](#)
  - **June 3**
    - [Grand Reopening: Guidelines for Resuming Business Operations in California Amid COVID-19](#)
  - **June 1**
    - [Federal Tax Advisory: Disaster Losses](#)
  - **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](#)