

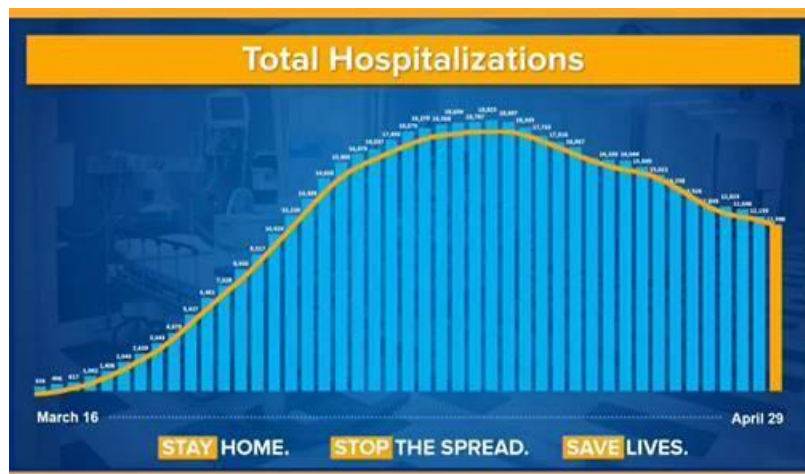
April 30, 2020

As we continue to navigate the COVID-19 crisis together, please continue reaching out to us as issues arise for you and for your businesses. We are and will continue to remain in regular contact with key stakeholders at the State Agencies and with the Administration to advocate on your behalf. Below please find updates and new information since our last update.

## WHAT'S NEW TODAY

### Governor Cuomo Press Briefing

- Governor Cuomo and his team were joined for the briefing by NYC Mayor Bill DeBlasio, former NYC Mayor Michael Bloomberg, Chairman & CEO of the MTA Pat Foye and Interim President of New York City Transit Sarah Feinberg.
- Hospitalizations saw a slight decrease from yesterday, the numbers of new COVID hospitalizations on April 29<sup>th</sup> was 933.



- There were a total of 306 COVID-19-related deaths on April 29<sup>th</sup>. Of these, 287 were hospital deaths, and 19 were in nursing homes. A total of 18,304 New Yorkers have passed away from coronavirus.



- The Governor reiterated that the State's reopening will be based on facts and data – 30% of hospital and ICU beds must be available after elective surgeries resume, rate of transmission must be 1.1 or less and an 30 day equipment stockpile.
- Testing, tracing and isolation will be key to reopening. New York is still testing more than anywhere else, but the next step is to increase contact tracing. This includes tracing who those who have tested positive have been in contact with, testing those people and isolating those people. This will help reduce the spread.



- The scale of this operation will be difficult. Mayor Bloomberg will help lead this program in partnership with Johns Hopkins University, Vital Strategies, SUNY, CUNY and the New York State Department of Health. They will be building and training a tracing army – employees will first be recruited from State, city and county health department employees.



- The contact tracing “playbook” developed will be released publicly so other cities, states and countries can all benefit. Contact tracing will be coordinated on a tri-state basis with Connecticut and New Jersey.
- New York City subways will be cleaned and disinfected every 24 hours by stopping service from 1 am to 5 am, the lowest ridership time. The MTA will also launch the “Essential Connector Program” to provide free transit for essential workers during this time. This will go into effect Wednesday May 6<sup>th</sup>. The Long Island Rail Road and the Metro-North trains will also be disinfected daily, but with continuous service. This will go into effect Wednesday May 6<sup>th</sup>.
- Mayor DeBlasio mentioned this new plan will disrupt the homeless situation on the subway as they will have to leave the trains every night. This way NYPD and outreach workers will be able to interact with them.
- No decision made yet on summer camps, will be taken into consideration as people are going back to work during opening phases.

### [Executive Order 202.25](#)

The Executive Order issued the following directives through May 29<sup>th</sup>:

- **ESTABLISHMENT OF ADDITIONAL BIRTHING SITES** – Allow for the immediate establishment of additional birthing sites operated by currently established licensed birthing hospitals and centers.
- **EXPANSION OF THE TIME A HEALTHY SUPPORT PERSON CAN ACCOMPANY A MOTHER POST DELIVERY & EXANPSION OF THE SUPPORT TEAM** - The directive of Executive Orders 202.12 & 202.13 is modified to clarify that the “duration of stay” includes labor, delivery and the postpartum period – including recovery. Additionally, the modification clarifies that doulas are considered an essential part of the support care team and should be allowed to accompany a pregnant individual as an additional support

person, as medically appropriate. Exceptions should be made only in limited circumstances and based on clinical guidance, such as availability of PPE.

- **ELECTIVE OUTPATIENT TREATMENT** - The Executive Order modifies Executive Order 202.10 to allow approved hospitals to perform elective outpatient surgeries and procedures if the following criteria are met:
  - Within a county, the total available hospital capacity & ICU bed capacity is over 30% and total change, from April 17, 2020 to April 27, 2020, in the number of hospitalized patients who are positive for COVID-19 is fewer than ten.
  - For each hospital within a county that has met the eligibility criteria, total available hospital capacity & ICU bed capacity is over 30% and the change, from April 17, 2020 to April 27, 2020, in the number of hospitalized patients who are positive for COVID-19 is fewer than ten.
  - Hospitals that are authorized to perform elective surgeries and procedures must report the number and types of surgeries and procedures performed to the Department of Health.
  - Elective surgery or procedures should not be performed until the patient has tested negative for COVID-19.
  - Hospitals that do not meet the criteria to perform elective surgeries and procedures may seek a waiver with the Department of Health.

### [NYC Executive Order 110](#)

- Zoning variances or special permits that will automatically lapse if substantial construction is not completed within four years is on hold for the duration of the emergency.
- Limitations on the amount of time permitted for the submission of building permit renewal applications is on hold for the duration of the emergency.
- Requirement of a continuous two-year period of discontinuance of a non-conforming use of land, building or other structure, such land, building or other structure is hold for the duration of the emergency.
- Limitations on the amount of time permitted for the filing of applications for statutory vested rights, extensions of time to complete construction or extensions of time to obtain certificates of occupancy is hold for the duration of the emergency.
- Suspends the rule that veterans resource center must be open no less than 10 office hours per week, the materials that must be made available and benefit counseling services.

- Any license, permit, consent, or registration issued by the City, and authorized by a local law or rule, that will expire during the State of Emergency is extended provided that such license, permit, consent, or registration shall expire after such time and the extension shall not alter the term or conditions of such renewal.

## ●UP-TO-DATE GUIDANCE

- New York State Department of Health:
  - [Nursing Home Guidance on Testing Employees](#)
- New York State Education Department:
  - [Required Updates to District Continuity of Learning Plans Due to Extended School Closures Caused by COVID-19](#)
- New York State Tax Department:
  - [Tax Department Response to COVID-19](#)
- New York State Office of Mental Health:
  - [Medicaid Fee-for-Service and Medicaid Managed Care Billing Guidance](#)
- New York State Office of for People with Developmental Disabilities:
  - [Guidance Regarding Day Habilitation](#)
  - [Guidance Regarding Prevocational Services](#)
- New York State Agriculture & Markets
  - [Interim Guidance on Packaging and Labeling Shell Eggs](#)
  - [Guidance on Charitable Food Donation Drive-Throughs](#)
- New York State Department of Financial Services:
  - [Regulation to Prevent Discrimination against Transgender and Gender Non-Conforming Individuals](#)
- Empire State Development: [Guidance for Determining Whether a Business Enterprise is Subject to a Workforce Reduction Under Recent Executive Orders](#)
  - There have been no changes since our last update.

- New York City: [Agency Suspensions and Reductions](#)
  - There have been no changes since our last update.

Attached please find a comprehensive document with guidance from across government agencies. We will be updating this document as information becomes available and including it in our daily updates.

In addition to our regular email updates, Ostroff Associates has established two dedicated webpages that will be updated in real time with any new information from government sources relating to COVID-19. Please use these websites as a resource and share with others who would benefit.

Update Page: <https://www.ostroffassociates.com/covid-19-updates/>

News Page: <https://www.ostroffassociates.com/category/covid-19/>

Please let us know if you have any questions or concerns.

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