

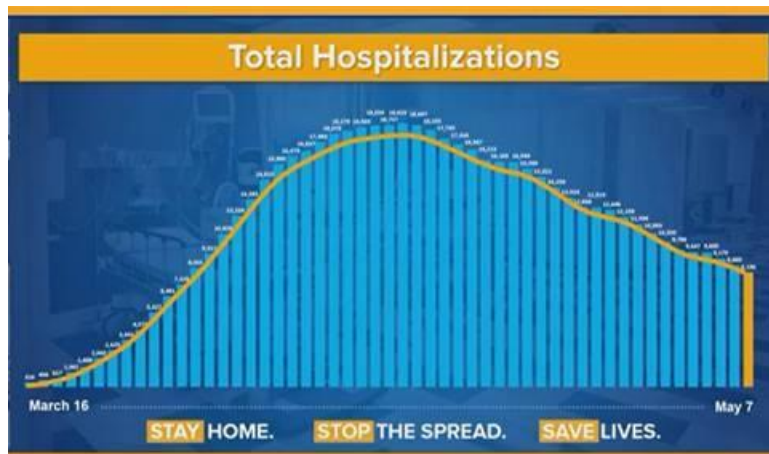
May 8, 2020

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

- Today's press briefing took place at Marist College in Dutchess County.
- The total number of hospitalizations and intubations is down again. The number of new cases is slightly down, with 604 cases on May 7th. The new hospitalizations per day has been flattening out vs. coming down quickly, at around 600 cases per day.



- There were a total of 216 COVID-19-related deaths on May 7th. Of these, 171 were hospital deaths and 45 were in nursing homes. This is a slight decrease from the day before. A total of 21,045 New Yorkers have passed away from coronavirus (NYSDOH).



- The Governor reminded that there is still a lot we do not know about COVID-19, and a lack of facts can hurt you. Initially we were told if you had the virus and the antibodies then you were immune from getting it a second time, now we have questions of what constitutes immunity.
- The Governor stated that along those lines, it was believed that the virus did not affect children. Now we are seeing evidence that, while rare, COVID-19 can cause severe illness in children similar to Kawasaki disease and toxic shock-like syndrome (inflammation of blood vessels). The State is aware of 73 cases in New York and one fatality so far, a 5-year-old boy in New York City. The Governor called on parents and guardians to seek immediate care if your child has any of the below symptoms.

Remain Vigilant

Seek care immediately if your child has:

- Prolonged fever (more than 5 days)
- Difficulty feeding (infants) or is too sick to drink fluids
- Severe abdominal pain, diarrhea, or vomiting
- Change in skin color - becoming pale, patchy, and/or blue
- Trouble breathing or is breathing very quickly
- Racing heart or chest pain
- Decreased amount or frequency of urine
- Lethargy, irritability, or confusion

STAY HOME. STOP THE SPREAD. SAVE LIVES.

- The Governor recognized that the virus is disproportionately affecting minority communities. Of the 21 zip codes with the newest hospitalizations, 20 of those have greater than average black and/or Latino populations. The State will be looking into addressing this inequity.



- The Governor announced the Child Victims Act revival window of time to file a claim will be extended an additional 5 months until January 14, 2021. This is in light of the reduction of court services due to COVID-19.



- The Governor ended on a positive note that we are finally ahead of the virus. We have turned the curve down through our actions. The cause and effect is clear and we are in control of the spread of the virus if we continue to take proper precautions.
- Secretary to the Governor Melissa DeRosa acknowledged the back log in unemployment claims and urged people to go online due to the volume of phone calls. The State is working hard to streamline this process, but this is something we have never experienced before. In the last seven weeks New York has paid out \$6.8B to 1.6M people – three times as much as the State paid out in all of 2019. Governor Cuomo emphasized that there are more people unemployed today than during the Great Depression and that is the only comparable situation.

[Executive Order 202.28](#)

The Executive Order extended the provisions of previous Executive Orders (scheduled to expire on May 7th) until June 6th, expect for certain specified provisions:

- Suspends the temporary authority granted for the Commissioner the NYS Department of Health to make determinations without the approval of the New York State Emergency Medical Services Council, State Emergency Medical Advisory Committee, Regional Emergency Medical Services Councils, or Regional Emergency Medical Advisory Committees.

- Suspends temporary authority granted to general hospitals, nursing homes, emergency medical services and home care workers regarding transfers, admissions and discharges minimum standards, except to the limited extent that it would allow a practitioner to practice in a facility where they are not credentialed and when it could otherwise limit the scope of care by paramedics.
- Reinstates sections of the Mental Hygiene law including provisions related to in-patient facilities, site selection for residential facilities and the Commissioner's power to transfer/discharge patients.
- Reinstates liability for licensed physicians, physician assistants, licensed registered professional nurse or licensed practical nurse.
- Reinstates patient record and report requirements.
- Reinstates all codes related to construction, energy conservation, or other building code, and all state and local laws, ordinances, and regulations which would have otherwise been superseded, upon approval by the Commissioner of OPWDD.

The Executive Order modifies the Criminal Procedure law as follows:

- The conditions and limitations that would prohibit the use of electronic appearances.
- Allows for proceedings of a felony complaint to be made by electronic appearance.
- Allows a defendant to be continued to be held despite "failure of a timely disposition" if good cause can be cited, i.e. inability to convene a grand jury.

The Executive Order modifies the following:

- Allows tenants to put their security deposit towards rent payment, with the security deposit being repaid overtime.
- Extends the moratorium on residential or commercial COVID-related through August 20, 2020.
- Bans landlords from assessing a fee due to late payments of rent from the period of March 20, 2020 – August 20, 2020.
- Absentee ballots mailed by the Board of Elections due to COVID-19 shall only be applicable for any primary or special election occurring on June 23, 2020. For absentee ballots already mailed they shall only be valid for June 23, 2020 elections.
- All schools shall remain closed through the remainder of the school year. School districts must continue to plan for alternative instructional options, distribution of meals and child care.

New York Forward

In an effort to re-open New York State without triggering the spread of the virus, Governor Cuomo has determined reopening will be done regionally based upon four core factors: monitor new infections,

healthcare capacity, diagnostic testing capacity and contact tracing capacity. On May 15th the NY PAUSE order will expire and some regions will start to reopen based upon meeting these criteria. The Governor has provided a breakdown of where each of the regions currently stand [here](#).

UP-TO-DATE GUIDANCE

- New York City Department of Buildings
 - [Requirement: License Renewal Applications to be submitted online as of Friday, May 8, 2020](#)
- 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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