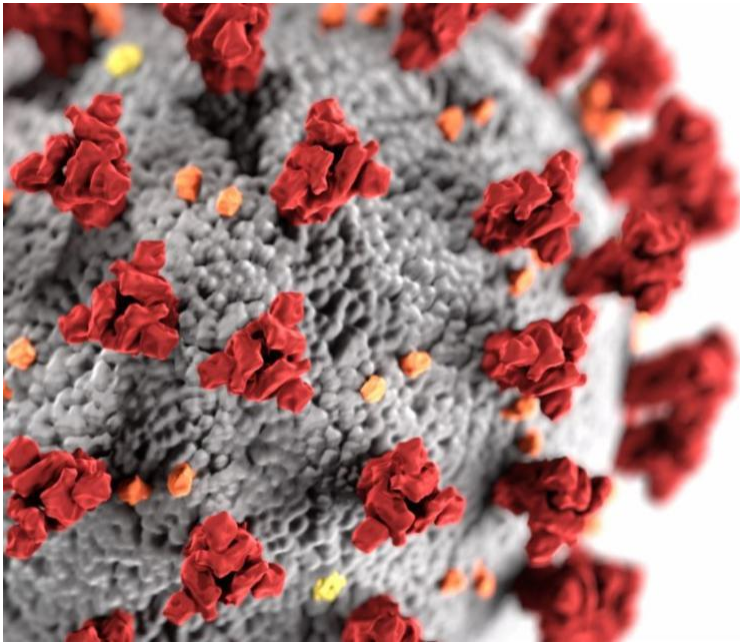


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*PLUGGED IN*  
TO  
**COVID-19**



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Coverage of State Actions Surrounding COVID-19



February 11, 2021

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## *Governor's Briefings and Announcements*



During his most recent **briefing**, the Governor provided an update on statewide COVID-19 data and activity as of 2/9/2021. The overall statewide positivity rate is 4.02%, and statewide hospitalizations decreased by 282, for a total of 7,593. ICU admissions associated with COVID-19 total 1,423

(an increase of 11), of which 955 (a decrease of 16) are intubated. The Governor also confirmed that, on the previous day, 136 New Yorkers have passed away as a result of COVID-19.

Overall, more than 2.65 million doses of COVID-19 vaccines have been administered in New York, of which 1.94 million are first doses and over 0.7 million being second doses. Approximately 93% of the first doses received during Weeks 1-8 have been administered.

The Governor stated that Hispanic and Black people have died as a result of COVID-19 at rates of 1.5 and 2 times the rate, respectively, of White people. Further, he stated that Black and Hispanic communities are experiencing COVID-19 infection rates which are about three times higher than other communities, with shortages of COVID-19 testing and often lack adequate availability of primary care doctors. Going forward, the State must focus on overcoming two primary obstacles in these “socially vulnerable communities”: 1) a hesitancy to accept the vaccine mainly associated with a lack of trust; and 2) having access to the vaccine.

Governor Cuomo was joined by White House COVID-19 Coordinator - Jeff Zients, and White House COVID-19 Equity Task Force Chair - Dr. Marcella Nunez-Smith just shortly after announcing a **combined federal (FEMA)/state partnership** to help address these obstacles in Brooklyn and Queens. Starting on February 24<sup>th</sup>, York College in Jamaica, Queens and Medgar Evers College in Brooklyn will be established as two of the largest mass vaccination sites in the State, each with the capability of vaccinating about 3,000 people per day. The vaccine allocations for these sites will be separate and apart from current state allocation and will be provided direct from the Federal government and will be administered with the support of the National Guard. Additional mass vaccination sites intended to focus on serving “socially vulnerable communities” in the upstate area have not yet been announced, though NYS, FEMA, and the CDC are working to identify locations.

The Governor was also joined by Rev. Al Sharpton, Mayor Marc Morial, and Derrick Johnson, collectively members of the Black Task Force for Vaccine Equity and Education. The Governor thanked the Members for their roles in advocating for change and stepping up for the people of these communities.

The State has also recently announced the opening of **11 community based pop-up vaccination sites** which are estimated to vaccinate more than 3,100 people over the week. Three sites in Queens, four sites in Manhattan, two in Long Island, and two in the Hudson Valley region.

Beginning on February 23<sup>rd</sup>, the arenas and stadiums across the state may begin to re-open under limited capacity (10% capacity limit, or max 10,000 persons). All attendees must have tested negative for COVID-19 via diagnostic testing within 72 hours of the event, similar to the Buffalo Bills demonstration. Assigned seating and adherence of social distancing and the use of face coverings will be required. The Barclay's Center in Brooklyn will be the first venue in NYC to host an event under these conditions on February 23<sup>rd</sup>, with the NBA's Brooklyn Nets hosting the Sacramento Kings.

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## ***CDC Eliminates Quarantine Requirement for Fully Vaccinated People***

The Centers for Disease Control and Prevention (CDC) has **issued updated guidance** regarding quarantine recommendations for vaccinated persons. This updated CDC guidance provides that fully vaccinated persons with an exposure to someone with suspected or confirmed COVID-19 are not required to **quarantine** if they meet all of the following criteria:

- Are fully vaccinated (i.e.,  $\geq 2$  weeks following receipt of the second dose in a 2-dose series, or  $\geq 2$  weeks following receipt of one dose of a single-dose vaccine);
- Are within 3 months following receipt of the last dose in the series; and
- Have remained asymptomatic since the current COVID-19 exposure

Persons who do not meet all 3 of the above criteria should continue to follow current quarantine guidance after exposure to someone with suspected or confirmed COVID-19.

Under the CDC's recommended changes, ***“[t]hese criteria could also be applied when considering work restrictions for fully vaccinated healthcare personnel with higher-risk exposures, as a strategy to alleviate staffing shortages. Of note, exposed healthcare personnel would not be required to quarantine outside of work.”***

**New York State DOH** – In a **statement from Governor Cuomo and DOH Commissioner Dr. Howard Zucker**, New York will update State guidance to reflect the CDC's changes regarding quarantine requirements **only for** New Yorkers who have received both shots, and when at least two weeks have passed since receipt of the second shot.

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## ***Guidance on COVID-19 Vaccine***

The DOH has issued the following updated guidance.

### **Updated Guidance for School Administrators Regarding Limited Temporary Enforcement of Student Immunization Requirement**

**(February 9, 2021)** – On October 12, 2020, NYS

DOH suspended enforcement of **required vaccinations for students** to attend school for a period of 30 days, only for students attending school exclusively remotely, provided that such student intends to obtain the required vaccinations in the coming 30 days. This guidance extends this 30 day grace period for students exclusively using remote learning through March 11, 2021.



The Office of Mental Health (OMH) requires agencies to submit an attestation form regarding instances where staff members return to work before the quarantine period has ended. By submitting this form, agency directors or officers attest that OMH guidelines for early return have been adhered to and that staffing mitigations strategies alone are insufficient to meet the supervision and support needs of the individuals. The **OMH Return to Work: Exposed Staff Attestation** must be submitted to OMH before any asymptomatic exposed staff is approved by the agency to return to the work location. All attestation must be submitted to:

**[omh.sm.ResidentialAttestation@omh.ny.gov](mailto:omh.sm.ResidentialAttestation@omh.ny.gov)**

or

**[omh.sm.AmbulatoryAttestation@omh.ny.gov](mailto:omh.sm.AmbulatoryAttestation@omh.ny.gov)**

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## ***Navigating K-12 Educational Challenges During the COVID-19***

The NYS Office of Children and Family Services (OCFS) and the NYS Education Department (NYSED) have issued a memo on **Navigating K-12 Educational Challenges During COVID-19**. This document is intended to provide guidance on processes both school and child welfare personnel should undertake in response to concerns regarding educational neglect whether in remote, in-person, or hybrid instructional settings.



### ***Updated Links and Resources***

#### **Hinman Straub Resources:**

- **[COVID-19 Executive Orders Reference Table](#)**
- **[COVID-19 Vaccine Status: 1/23 - 2/8 Update](#)**

## **New York Forward:**

- [Cluster Action Initiative](#)
- [Cluster Zones Maps](#)
- [COVID-19 Hot Spot Zones by Address](#)

## **Department of Health:**

- ["Am I Eligible?" - Application](#)
- [COVID-19 Vaccine](#)
- [COVID-19 Vaccine Tracker](#)
- [COVID-19 – Phased Distribution of the Vaccine](#)
- [COVID-19 Vaccine Information for Providers](#)
- [Information for Healthcare Providers](#)
- [COVID-19 Travel Advisory](#)

## **State Education Department**

- [Coronavirus \(COVID-19\)](#)
- [Guidance for P-12 Schools](#)

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*"Plugged In To COVID-19" is prepared by Hinman Straub P.C. and is intended to keep our clients informed about news surrounding the COVID-19 public health emergency and State issued guidance and regulatory developments that may affect or otherwise be of interest to them. The comments contained herein do not constitute legal opinion and should not be regarded as a substitute for legal advice. If you prefer not to receive these updates, please alert us so we may remove you from our distribution list.*

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