



# New York State on PAUSE

Governor Andrew Cuomo ramped up New York State’s strategy to combat the spread of the COVID-19 virus with the signing of the New York State on PAUSE (NYS on Pause) Executive Order. The order includes a new directive that all non-essential businesses statewide must close in-office personnel functions effective 8 p.m. on Sunday, March 22<sup>nd</sup> and temporarily bans all non-essential gatherings of individuals of any size for any reason. The Governor is also promoting personal responsibility protocols for vulnerable and non-vulnerable populations.

“Essential” employees were defined in an [Executive Order 202.6](#) signed earlier this week. The Empire State development Corporation has released [guidance](#) on the business types deemed “essential.” Businesses violating the directive may be subject to civil penalties.

In addition, NYS on PAUSE establishes personal responsibility protocols for vulnerable and non-vulnerable individuals. Vulnerable populations are defined as seniors over 70, immune compromised people, and those with underlying illnesses. The protocols for this group, dubbed “Matilda’s Law”, are:

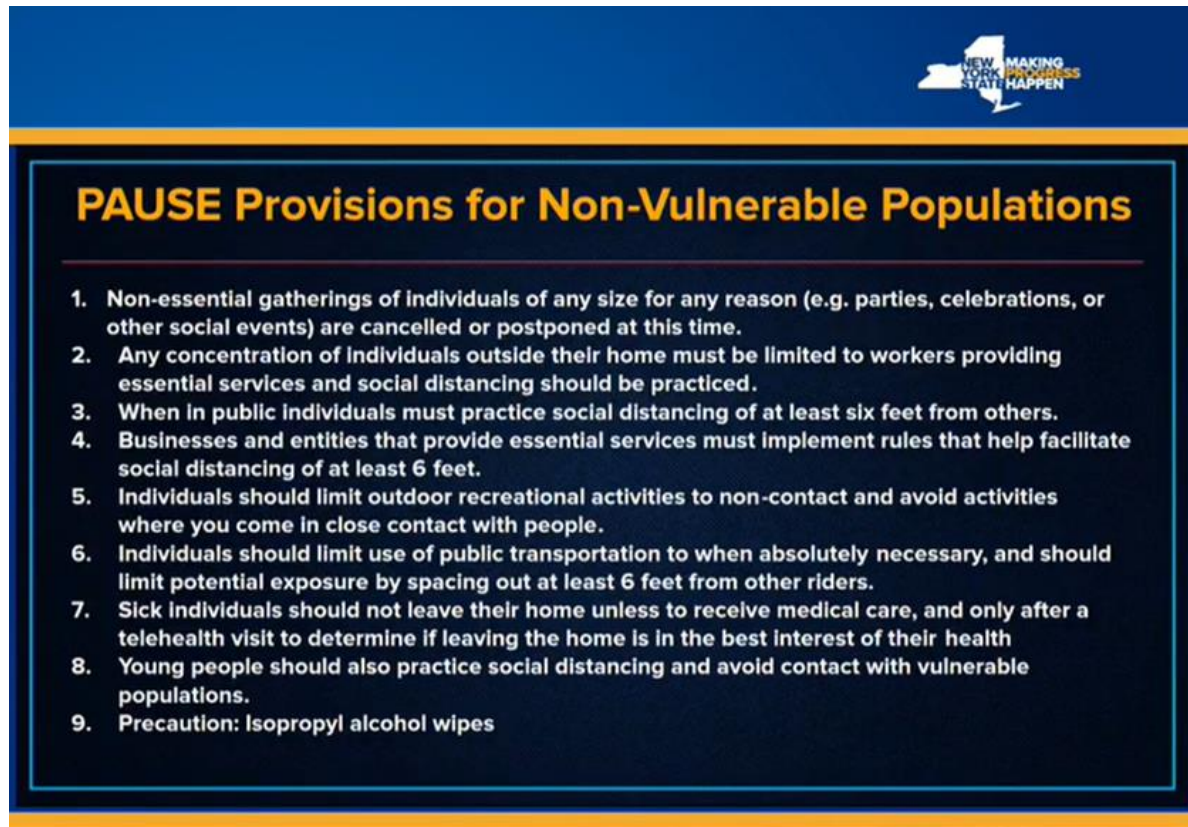


**STRICTEST RULES FOR MOST VULNERABLE GROUPS:**  
**seniors over 70, immune-compromised people, and those with underlying illnesses**

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- **Remain indoors**
- **Can go outside for solitary exercise**
- **Pre-screen all visitors and aides by taking their temperature**
- **Do not visit households with multiple people**
- **All vulnerable persons should wear a mask when in the company of others**
- **To the greatest extent possible, everyone in the presence of vulnerable people should wear a mask**
- **Always stay at least six feet away from individuals**
- **Do not take public transportation unless urgent and absolutely necessary**

The Governor's 10-point plan for nonvulnerable residents includes, in addition to the closure of all non-essential businesses statewide at 8 p.m., Sunday, March 22<sup>nd</sup>, the following:



The graphic features a dark blue background with a yellow border. At the top right, there is a logo for 'NEW YORK MAKING HAPPEN' with a map of the state. The main title 'PAUSE Provisions for Non-Vulnerable Populations' is in large, bold, yellow letters. Below the title is a list of nine numbered items in white text.

1. Non-essential gatherings of individuals of any size for any reason (e.g. parties, celebrations, or other social events) are cancelled or postponed at this time.
2. Any concentration of individuals outside their home must be limited to workers providing essential services and social distancing should be practiced.
3. When in public individuals must practice social distancing of at least six feet from others.
4. Businesses and entities that provide essential services must implement rules that help facilitate social distancing of at least 6 feet.
5. Individuals should limit outdoor recreational activities to non-contact and avoid activities where you come in close contact with people.
6. Individuals should limit use of public transportation to when absolutely necessary, and should limit potential exposure by spacing out at least 6 feet from other riders.
7. Sick individuals should not leave their home unless to receive medical care, and only after a telehealth visit to determine if leaving the home is in the best interest of their health
8. Young people should also practice social distancing and avoid contact with vulnerable populations.
9. Precaution: Isopropyl alcohol wipes

Other actions currently in place include:

## **Businesses**

New York Governor Andrew M. Cuomo, New Jersey Governor Phil Murphy, Connecticut Governor Ned Lamont, and Pennsylvania Governor Tom Wolf initiated a regional approach to stem the of surge of the virus which includes:

- Restaurants and bars: Take-out and delivery only.
- Movie theaters, gyms and casinos closed temporarily.
- Enclosed public spaces of malls are closed. Retailers without a direct entrance to the outside are closed. Non-essential service retailers will be closed after 8 p.m. Sunday, March 22<sup>nd</sup>.
- Barbershops, hair salons, tattoo or piercing parlors, nail salons, hair removal services, and related personal care services (effective Saturday, March 21<sup>st</sup> at 8 p.m.).

## **Elections**

**Petitioning Requirement:** Petitioning requirements for candidates seeking office this year have been cut to 30 percent of what they normally would be. 375 is the new minimum requirement for signatures for congressional candidates. Normally, it is 1,250 signatures required. Candidates will have had to complete their petitioning by Tuesday, March 17 rather than the original date of April 2<sup>nd</sup>.

**Village Elections:** Village elections scheduled across the state for March 18<sup>th</sup> have been suspended until April 28<sup>th</sup>, the current date of the presidential primary.

**Absentee Voting for Any Reason:** For the rest of March, voters will be allowed to cast absentee ballots by mail for any reason. The state constitution restricts absentee voting to instances when an individual is ill or out of the county in which they live, but “the potential for contraction of the COVID-19 virus” has been labeled a type of illness.

## **Financial/Utility Services**

**Sales Tax Remittance:** The deadline for remittance of State Sales Tax is Friday, March 20<sup>th</sup>. However, Governor Cuomo indicated that the State will waive late penalties and interest.

**90-day Suspension of Evictions:** Governor Cuomo announced that there will be a 90-day moratorium on residential and commercial evictions effective immediately.

**Notary Actions:** Any notarial act that is required under New York State law is authorized to be performed utilizing audio-video technology in certain circumstances.

**90-day Mortgage Relief:** The Governor also announced the Department of Financial Services has issued a new directive to New York State mortgage servicers to provide 90-day mortgage relief to mortgage borrowers impacted by the novel coronavirus. The directive includes:

- Waiving mortgage payments based on financial hardship;
- No negative reporting to credit bureaus;
- Grace period for loan modification;
- No late payment fees or online payment fees; and
- Postponing or suspending foreclosures.

**State Chartered Bank Fees:** The Governor has asked DFS to instruct state chartered banks to waive ATM fees, late fees, overdraft fees and fees for credits cards.

**State Medical and Student Debt Collection Halted:** The state will temporarily halt the collection of medical and student debt owed to the State of New York and referred to the Office of the Attorney General for collection, for at least a 30-day period (March 16<sup>th</sup>-April 15<sup>th</sup>). After this 30-day period, the OAG will reassess for a possible extension. Additionally, the OAG will accept applications for suspension of all other types of debt owed to the State of New York and referred to the OAG for collection.

A total of more than 165,000 matters currently fit the criteria for a suspension of state debt collection, including, but not limited to:

- Patients that owe medical debt due to the five state hospitals and the five state veterans' home;
- Students that owe student debt due to State University of New York campuses; and
- Individual debtors, sole-proprietors, small business owners, and certain homeowners that owe debt relating to oil spill cleanup and removal costs, property damage, and breach of contract, as well as other fees owed to state agencies.

New Yorkers with non-medical or non-student debt owed to the State of New York and referred to the OAG, may also apply to temporarily halt the collection of state debt. Individuals seeking to apply for this temporary relief can [fill out an application online](#) or visit the [OAG's coronavirus website](#) to learn more about the suspension of payments.

**Utilities:** The Governor also directed the New York State Department of Public Service to suspend public utilities from cutting off service - including power and heat - to customers affected by COVID-19. The State's major utilities will suspend service shutoffs to households during the COVID-19 outbreak and will continue to offer deferred payment plans for customers struggling financially due to the outbreak.

**Internet Providers:** The State is asking internet service providers to increase capacity, as well as data usage limits for consumers who have such plans, at no charge.

## **Health/Hospitals**

**Bed Capacity:** The Governor also announced an executive order allowing the State Department of Health to identify space within existing hospitals to increase bed capacity. U.S. Army Corps of Engineers is meeting with State Officials to develop a plan to create more hospital beds in New York.

**Nursing Home/Hospital Visitation:** Visits to nursing homes are banned and all nursing home employees are required to wear masks and be monitored for symptoms. Facilities may make exceptions for people who wish to visit a very sick or dying loved one. All hospitals have suspended visitations, with the exception of cases of extreme illness, pediatric/neonatal circumstances, and maternity.

**Admission & Discharge – 90-day Suspension of Insurance Preapproval:** The Department of Financial Services will issue a directive to health insurers allowing scheduled surgeries and admissions without insurer preapproval and allowing inpatient hospital services without insurer approval. Under the measure, insurers will pay inpatient hospital services and emergency services without waiting to review for medical necessity. It will also allow the discharge of patients to a rehabilitation center or nursing after an inpatient hospital stay without insurer preapproval, and encourage self-funded plans to adopt these same provisions.

**USNS Comfort** will be deployed to New York harbor and is expected to arrive in April. The 1,000-bed hospital ship has 12 fully-equipped operating rooms.

**Drive-thru Testing:** The State has opened up drive-thru COVID testing facilities in New York City (NYC Health + Hospitals Jacobi, NYC Health + Hospitals Coney Island, NYC Health + Hospital Queens Hospital Center, NYC Health + Hospitals Kings County, and South Beach Psychiatric Center -Staten Island), Westchester/Rockland (Glen Island Park, Anthony Wayne Recreation Area) and on Long Island (Theodore Roosevelt Nature Center and Stony Brook University).

**State Authorized for Public and Private Lab Testing:** The Food and Drug Administration has [approved](#) New York State to authorize the state's 28 public and private labs to begin manual, semi-automated and automated testing for novel coronavirus, or COVID-19.

**Elective Surgery:** All noncritical elective surgery has been cancelled.

## **Insurance**

**NYS State of Health Reopens:** The state is creating a special enrollment period for health insurance through NY State of Health. Eligible residents can enroll in a qualified plan through April 15th. The open enrollment period had previously ended February 7th. Residents can apply for coverage on-line at [nystateofhealth.ny.gov](http://nystateofhealth.ny.gov), by phone at 855-355-5777.

**Tele-health Visits:** Governor Cuomo directed the Department of Financial Services to Require Insurance Companies to Waive Co-payments for Tele-health Visits. DFS Adopted a new [Emergency Regulation](#) requiring insurance companies to waive cost-sharing for in-network telehealth visits.

**COVID-19 Testing Fee Waived:** DFS [Emergency Regulation](#) Prohibits Insurers From Imposing Cost-Sharing, Copayments, Coinsurance, or Annual Deductibles for Novel Coronavirus Diagnostic Testing.

## **Schools**

**Public and Private Schools (K-12):** Governor Andrew M. Cuomo signed an executive order directing all schools in New York to close by Wednesday, March 18 for two weeks ending April 1. At that time, the state will reassess whether to extend the school closures further and continue to suspend the 180-day instructional requirement.

**NYS Testing:** Elementary and intermediate-level state assessments are suspended for the remainder of the current school year. This suspension for the remainder of the school year applies to the following New York State testing programs:

- New York State Grades 3-8 English Language Arts Test.
- New York State Grades 3-8 Mathematics Test.
- New York State Grade 4 Elementary-Level Science Test.
- New York State Grade 8 Intermediate-Level Science Test.
- New York State English as a Second Language Achievement Test (NYSESLAT) in Grades K-12.
- New York State Alternate Assessment (NYSAA) for students with severe cognitive disabilities in Grades 3-8 and high school.

**SUNY, CUNY and Community Colleges:** Governor Cuomo directed all SUNY and CUNY schools across New York started “distance learning” on March 19. Initially, the Governor indicated that the dorms would remain open, however, as the situation evolves individual campuses have announced closures.

## **Workforce**

**Mandatory Workforce Reduction:** Governor Andrew Cuomo has signed three Executive Orders to which direct all businesses and not-for-profits in the state to utilize telecommuting or work from home procedures to help contain the infection rate of COVID-19.

The initial order ([Executive Order No. 202.6](#)) reduced the onsite workforce to 50%, the second ([Executive Order No. 202.7](#)) reduced the onsite workforce to 25% and the third, issued today, requires 100% telecommuting.

The Order exempts essential businesses that provide essential services or functions. Exemptions include:

1. Essential health care operations including research and laboratory services;
2. Essential infrastructure including utilities, telecommunication, airports and transportation infrastructure;
3. Essential manufacturing, including food processing and pharmaceuticals;
4. Essential retail including grocery stores and pharmacies;
5. Essential services including trash collection, mail, and shipping services;
6. News media;
7. Banks and related financial institutions;
8. Providers of basic necessities to economically disadvantaged populations;
9. Construction;
10. Vendors of essential services necessary to maintain the safety, sanitation and essential operations of residences or other essential businesses;
11. Vendors that provide essential services or products, including logistics and technology support, child care and services needed to ensure the continuing operation of government agencies and provide for the health, safety and welfare of the public.

Empire State Development Corporation has issued its [guidance](#) in implementing the Executive Orders. The guidance lists sixty-six categories of business that are designated “essential,” as well as how to request a review of business activities.

**Unemployment insurance:** Governor signed Executive Order Today Waiving 7-Day Waiting Period for Workers to Claim Unemployment Insurance due to COVID-19.

**Paid Family Leave:** Governor Cuomo signed legislation to provide protections for employees of private and public employers who are subject to a mandatory or precautionary order of quarantine related to COVID-19. Provisions of the initiative include:

- For employees working for small employers (1-10 employees), employees subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19 will receive unpaid sick days and the ability immediately to qualify for paid family leave and temporary disability benefits, plus full job protection.
- For employees working for medium sized employers (11-99 employees) and small employers (1-10 employees) with a net income of \$1 million a year, employees subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19 will receive five paid sick days and the ability immediately thereafter to qualify for paid family leave and temporary disability benefits, plus full job protection.
- For employees working for large employers (100 or more employees) and public employees, employees subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19 will receive paid sick days for the entirety of the quarantine (up to 14 days), plus full job protection.

All employees subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19 are given full job protection during time of absence. Employees will qualify for paid family leave to care for a minor dependent child who is subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19. The Department of Financial Services will implement a risk adjustment pool to assist in the stabilization of claims related to paid family leave and temporary disability benefits.



## State Comptroller DiNapoli Releases State Revenue Projection to Reflect Coronavirus Impact

New York State Comptroller Thomas DiNapoli this week issued a revenue projection for the 2020-2021 state budget which reflects an estimate of the economic impact and ongoing volatility stemming from the spread of the coronavirus (COVID-19). DiNapoli estimates tax revenue will be at least \$4 billion below the projections in the Executive Budget of \$87.9 billion. He also offered one alternative scenario if a more severe recession or sharper declines in the stock market occur, which could lower tax revenues by more than \$7 billion.

Governor Cuomo requested DiNapoli examine the revenue projection that the Governor and State Legislature agreed to on March 1 before they adopt a new budget, which is due April 1.

The Division of the Budget and the Legislature's fiscal committee staffs developed their economic and revenue forecasts in the days and weeks leading up to the February 27 Consensus Forecasting Conference. Since those forecasts were finalized, the spread of the coronavirus and other developments have led to dramatic deterioration in the economic and revenue outlook.

According to the Comptroller, in assessing risks to the March 1 revenue consensus, the Office examined recent developments and relevant indicators including sharp declines and continuing volatility in the stock markets; monetary policy efforts by the Federal Reserve to bolster the economy; and widespread developments that will limit consumer spending and other economic activity.

Comptroller DiNapoli explained that definitive estimates of the COVID-19 impact on the economy and State revenues are not possible, in part because the ultimate health and social impacts of the virus are currently unknowable. Most available economic forecasts have not yet caught up with recent events, although projections have broadly weakened.

The federal government announced today that it is pushing the tax deadline to July 15<sup>th</sup>. New York's deadline is tied to the federal and will follow suit.

# Briefs

## Businesses With Capability to Produce Gloves, Masks, Gowns and PPE Asked to Contact State

New York State is asking businesses who have the capability of producing personal protection equipment (PPE), gloves, masks and gowns to do so and the state will provide funding to get the right equipment and personnel.

The Governor is asking all PPE product providers to sell to the state any products that are not essential or not currently being used. Businesses interested in selling products to the state should contact Simonida Subotic at 646-522-8477 or [covid19supplies@exec.ny.gov](mailto:covid19supplies@exec.ny.gov). The Governor is also encouraging any company with the proper equipment or personnel to begin to manufacture PPE products if possible. The state is willing to provide funding to any company to obtain the proper equipment and personnel. Businesses interested in receiving state funding to manufacture PPE products should contact Eric Gertler at 212-803-3100 or [COVID19supplies@esd.ny.gov](mailto:COVID19supplies@esd.ny.gov).

## Medicaid Redesign Team II Approves Recommendations

New York's Medicaid Redesign Team II voted to approve the proposed [recommendations](#) of the MRT II via a public conference call, with 18 members in favor and three in abstention. The recommendations are now sent to the Governor and Legislature for consideration in the State budget which is due April 1<sup>st</sup>.

Governor Cuomo formed the Medicaid Redesign Team II (MRT II) on February 4 with the objective of restoring financial sustainability to the Medicaid program while connecting other programmatic initiatives that would advance the core healthcare strategies he has pursued since taking office in 2011. The proposals approved today build on the reforms originally proposed by the first Medicaid Redesign Team in 2011 that once implemented by the Governor and Legislature, held New York State's annual Medicaid spending growth to less than half the national average from 2013 to 2018.

The MRT II process and its spending growth reduction target were established before the outbreak of the COVID-19 public health emergency which has created significant disruption to the health care system and the broader economy. The State will continue to invest significant resources in stopping COVID-19, and it is expected that Federal disaster funding that includes enhanced Medicaid support will support the modification of these reforms if they're ultimately approved by the Legislature.



## NYC Council Speaker Corey Johnson Proposes \$12 Billion Relief Plan to Help Workers and Businesses Impacted by COVID-19

Council Speaker Corey Johnson on Thursday proposed a \$12 billion relief plan to help New York City businesses and workers impacted by the Coronavirus/COVID-19 pandemic. The multi-pronged proposal includes a temporary universal basic income for all New Yorkers, temporarily deferring fees and refunding business taxes, and up to \$250,000 to cover fixed costs for impacted businesses. It also includes unemployment protections for those who have had their hours cut, gig economy and freelance workers.

Speaker Johnson is calling for the plan to be paid for by the federal government. If the federal government fails to step up, it can be funded by bonds. The Speaker noted that New York City has a history of selling bonds to rebuild its economy after a disaster, including after 9/11.

## Coming Up

### *New York State*

***The State Senate is Adjourned & Scheduled to Return at the Call of the Majority Leader.***

***The State Assembly is adjourned at the Call of the Speaker.***

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