

Coronavirus (COVID-19) Taskforce

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Comprised of attorneys from across offices and practice areas, our Coronavirus (COVID-19) Taskforce provides clients insight, resources, and legal solutions related to the COVID-19 pandemic.

Overview

Our multidisciplinary Coronavirus (COVID-19) Taskforce team tracks legal and regulatory developments in real-time, providing insight, resources, and legal analysis related to the pandemic.

Resources from the Taskforce are available below and include free articles, blog posts, and webinars, as well as state and federal government information on emergent issues. The content includes insight into the **Families First Coronavirus Response Act (FFCRA)** and its two major provisions, the Emergency Family and Medical Leave Expansion Act and the Emergency Paid Sick Leave Act; the **Coronavirus Aid, Relief and Economic Security Act (CARES)** and Small Business Administration (SBA) Loans; the **practical business impact of the COVID-19 pandemic**, and the response of state and federal governments.

For questions or additional insight, please contact the **Chair of our Coronavirus (COVID-19) Taskforce, Paula G. Sanders, at psanders@postschell.com.**

We are committed to serving you during this unprecedented and rapidly evolving challenge. We wish you well and hope you and your families are safe and healthy.

Families First Coronavirus Response Act (FFCRA)

- **NEW** - Legal Insights: DOL Issues Revised Regs on the FFCRA in Response to S.D.N.Y Decision
- **NEW** - Legal Insights: New York Federal Court Strikes Down Four FFCRA Regulations
- Legal Insights: DOL to Begin Enforcement of FFCRA Paid Leave Obligations; Issues Additional FAQs
- Legal Insights: DOL Issues Much Anticipated Regs and IRS Issues Guidance on Families First Coronavirus Response Act
- Article: The Families First Coronavirus Response Act: What Employers Need to Know
- Legal Insights: DOL Issues Third Round of Guidance on Families First Coronavirus Response Act
- Webinar: Families First Coronavirus Response Act: Insights for Employers
- Webinar: Employment and Employment Tax Aspects of the FFCRA
Click here for replay
Click here for PDF of presentation
- Legal Insights: Employment Tax Aspects of the Coronavirus Response Act
- Webinar: Families First Coronavirus Response Act: Insights for Employers

- [Legal Insights: President Signs Bill Requiring Employers to Provide Paid Leave to Employees Affected by the Coronavirus/COVID-19 >](#)

Healthcare/Provider Related

- [Law360 Article: Prepare For CMS Scrutiny Of Nursing Home Infection Surveys](#)
- [Webinar Replay: CMS Mandates On-Site Focused Infection Control Surveys: Implications and Strategies \(Video\) Click here for a PDF of the Presentation \(PDF\)](#)
- [MedPage Today Article: Nursing Homes Shocked at 'Insanely Wrong' CMS Data on COVID-19](#)
- [Webinar Replay: PHCA Webinar: Truth or Fiction: COVID-19 Reporting in Pennsylvania \(Video\) Click here for a PDF of the presentation \(PDF\)](#)
- [Webinar Replay: Post & Schell Webinar: COVID 19 and Telehealth Guidance for Healthcare Providers \(Video\) Click here for a PDF of the presentation \(PDF\)](#)
- [Legal Insights: Understanding the New CDC/CMS COVID-19 Notification Requirements](#)
- [Legal Insights: SNF Surveys in the Time of COVID-19](#)
- [Law360 Article: A Blueprint for Allocating Scarce Health Resources in PA](#)
- [White Collar Posts: U.S. Attorney in Philadelphia Calls on Hospitals and Providers to Help Fight COVID-19-Related Fraud](#)
- [Law360 Article: COVID Telehealth Considerations For Providers In Pa. and NJ](#)
- [Legal Insights: COVID-19 Telehealth: What Providers Need to Know](#)

EEOC and OSHA Guidance Regarding COVID-19

- [Legal Insights: EEOC Issues New Guidance for Managing COVID-19 Risks Consistent with the ADA](#)
- [Legal Insights: OSHA issues Guidance to Employers on COVID-19](#)

Business Operations

- **NEW** - [WPS Webinar: COVID-19: Vaccination Protocols and Regulatory & Legal Considerations for Employers. Click here for a PDF copy of the presentation. Click here for a replay of the webinar.](#)
- [White Collar Posts: Understanding and Protecting the Defendant's Right to Confront Witnesses in the COVID-19 Era](#)
- [Legal Intelligencer Article: Avoiding Wage and Hour Woes During the Pandemic](#)
- [White Collar Posts: FinCEN Releases Second Advisory on COVID-19 Illicit Activity, Including New Red Flags for Common Consumer Fraud Scams](#)
- [Pittsburgh Post Gazette Article: When Home is the New Office, Employer Liabilities Remain](#)
- [White Collar Posts: FinCEN Releases First Advisory on COVID-19 Illicit Activity, Including New Red Flags for Potential COVID-19 Fraud and Scams](#)
- [Legal Insights: Re-Opened for Litigation: Examining Potential for COVID-19 Third Party Exposure Claims Against Businesses and How to Mitigate and Defend Them](#)
- [Legal Insights: Pennsylvania Construction Industry Reopening Date Now May 1, 2020](#)
- [Legal Insights: Post & Schell's Paycheck Protection Program \(PPP\) Forgiveness Tool](#)
- [Webinar: Loan Funding & Forgiveness 101 - Recording and Resources - Brown & Brown of Pennsylvania Webinar](#)
- [Legal Insights: Pennsylvania Amends its Unemployment Law in Response to COVID-19](#)
- [Legal Insights: Property Management and Safety-Related Services in PA During the COVID-19 Response](#)
- [Webinar: CARES Act Opportunities: Webinar for Associated Pennsylvania Constructors \(APC\)](#)
- [Legal Insights: Online Fitness in the COVID-19 Era: How to "C.U.R.E." Online Waivers and Protect Your Business from Liability](#)
- [Legal Insights: Conducting Environmental Compliance Activities During the COVID-19 Crisis](#)
- [Legal Insights: COVID-19: Considerations and Support for Property Owners](#)
- [Legal Insights: Coronavirus/COVID-19, Construction Contracts, and Legal Next Steps](#)

Insurance Related

- [Insurance Law Posts: PA Insurance Commissioner: Businesses That Violate COVID-19 Orders May Impact Insurance Coverage](#)
- [Legal Insights: Caution Urged with the PA WC Bureau's New EDI Recommendations for COVID-19 Claims](#)

- [Legal Insights: Workers' Compensation Injuries, Employees Working from Home, and the COVID-19 Shutdown](#)
- [Legal Insights: Reminder for Claims Handlers During COVID-19 Pandemic: Compliance with PA Regulations to Timely Respond to Insureds is Critical](#)
- [Legal Insights: Workers' Compensation Rights/ Obligations in Light of the Forced Government Shutdown Due to COVID-19](#)

Tax Related

- [Law360 Article: How Employment Tax Rules Are Changing During Pandemic](#)
- [Tax Controversy Posts: Employment Taxes During the COVID-19 Pandemic](#)

RESOURCES: Government and Association Updates and Links

White House

- [Guidelines: Opening Up America Again](#)

Federal Court Decisions

- [U.S. District Court of the Western District of Pennsylvania Rules Wolf Administration's COVID-19 Related Gathering Restrictions Unconstitutional \(Opinion PDF\) \(Declaratory Judgment Order PDF\)](#)

Federal Legislation

- [Coronavirus Aid, Relief, and Economic Security Act \(CARES\) \(Enrolled Bill\)](#)
- [Families First Coronavirus Response Act \(FFCRA\) \(Public Law\)](#)

Paycheck Protection Program (PPP)

- [Paycheck Protection Program Loan Forgiveness Application \(PDF\)](#)

Centers for Disease Control and Prevention (CDC)

- [Discontinuation of Isolation for Persons with COVID -19 Not in Healthcare Settings](#)
- [Criteria for Return to Work for Healthcare Personnel with SARS-CoV-2 Infection \(Interim Guidance\)](#)
- [Discontinuation of Transmission-Based Precautions and Disposition of Patients with COVID-19 in Healthcare Settings \(Interim Guidance\)](#)

Centers for Medicare & Medicaid Services (CMS)

- [UPDATED - COVID-19 Emergency Declaration Blanket Waivers for Health Care Providers \(PDF\)](#)
- [CMS Dear Clinician Letter \(PDF\) \(4/6/20\)](#)
- [List of Blanket Waivers \(PDF\) UPDATED \(4/3/20\)](#)
- [CMS Coronavirus Partner Virtual Toolkit \(3/17/20\)](#)

For Health Care Facilities:

- [Guidance for Infection Control and Prevention Concerning Coronavirus Disease 2019 \(COVID-19\) in Home Health Agencies \(HHAs\) and Religious Nonmedical Healthcare Institutions \(RNHCIs\)\(Revised 4/23/20\)](#)
- [Memo "Upcoming Requirements for Notification of Confirmed COVID-19 \(or COVID-19 Persons under Investigation\) Among Residents and Staff in Nursing Homes" \(4/19/20\)](#)

- [Guidance for Infection Control and Prevention of Coronavirus Disease \(COVID-19\) in Hospitals, Psychiatric Hospitals, and Critical Access Hospitals \(CAHs\): FAQs, Considerations for Patient Triage, Placement, Limits to Visitation and Availability of 1135 waivers \(4/8/20\)](#)
- [Guidance for Infection Control and Prevention of Coronavirus Disease \(COVID-19\) in Outpatient Settings: FAQs and Considerations \(4/8/20\)](#)
- [Guidance for Infection Control and Prevention of Coronavirus Disease 2019 \(COVID-19\) in Intermediate Care Facilities for Individuals with Intellectual Disabilities \(ICF/IIDs\) and Psychiatric Residential Treatment Facilities \(PRTFs\) \(4/8/20\)](#)
- [Emergency Medical Treatment and Labor Act \(EMTALA\) Requirements and Implications Related to Coronavirus Disease 2019 \(COVID-19\) UPDATED \(4/8/20\)](#)
- [Guidance for Infection Control and Prevention Concerning Coronavirus Disease 2019 \(COVID-19\) in Dialysis Facilities UPDATED \(4/8/20\)](#)
- [COVID-19 Long-Term Care Facility Guidance \(PDF\) \(4/3/20\)](#)

For Programs of All-Inclusive Care for the Elderly (PACE) Organizations:

- [Frequently Asked Questions from the PACE Community \(PDF\) \(4/9/20\)](#)
- [Guidance for PACE Organizations Regarding Infection Control and Prevention of Coronavirus Disease 2019 \(COVID-19\) \(PDF\) \(3/17/20\)](#)

Survey and Certification Guidance:

- [Prioritization of Survey Activities \(3/23/20\)](#)

Telehealth:

- [Long-Term Care Nursing Homes Telehealth and Telemedicine Toolkit \(PDF\) \(3/27/20\)](#)
- [End-Stage Renal Disease \(ESRD\) Provider Telehealth and Telemedicine Toolkit \(PDF\) \(3/20/20\)](#)
- [Medicare Telehealth Frequently Asked Questions \(3/17/20\)](#)
- [Medicare Telehealth Frequently Asked Questions \(3/17/20\)](#)
- [Medicaid Telehealth Guidance \(3/17/20\)](#)
- [FAQs on Availability and Usage of Telehealth Services through Private Health Insurance Coverage in Response to Coronavirus Disease 2019 \(COVID-19\) \(PDF\) \(3/26/20\)](#)

Department of Health and Human Services

- [HHS: CARES Act Provider Relief Fund Frequently Asked Questions \(PDF\)](#)
- [OIG Strategic Plan: Oversight of COVID-19 Response and Recovery](#)
- [FAQs—Application of OIG's Administrative Enforcement Authorities to Arrangements Directly Connected to the Coronavirus Disease 2019 \(COVID-19\) Public Health Emergency \(4/24/2020\)](#)
- [CARES Act Provider Relief Fund Information](#)
- [CARES Act Provider Relief Fund, Terms and Conditions](#)
- [OIG Policy Statement on COVID-19 Federal Anti-Kickback Enforcement April 3, 2020](#)

Department of Labor

- [Families First Coronavirus Response Act: Questions and Answers](#)
- [DOL Poster: Quick Tip: How much paid leave can employees take? \(PDF\)](#)
- [COVID-19 Guidance for Essential Businesses: Guidance \(PDF\)](#)
- [COVID-19 Guidance for Essential Businesses: FAQs \(PDF\)](#)
- [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act of 2020— Pandemic Emergency Unemployment Compensation \(PEUC\) Program Operating, Financial, and Reporting Instructions](#)
- [Federal Register, Friday, April 10, 2020, Rules and Regulations: Paid Leave Under the Families First Coronavirus Response Act; Correction](#)
- [Paid Leave under the Families First Coronavirus Response Act](#)

- [Families First Coronavirus Response Act: Questions and Answers](#)
- [Temporary Rule: Paid Leave under the Families First Coronavirus Response Act](#)
- [COVID-19 and the Fair Labor Standards Act Questions and Answers](#)
- [COVID-19 and the Family and Medical Leave Act Questions and Answers](#)
- [Families First Coronavirus Response Act Notice – Frequently Asked Questions](#)
- [Temporary Non-Enforcement Period Applicable to the Families First Coronavirus Response Act \(FFCRA\)](#)
- [US. Department of Labor: Families First Coronavirus Response Act \(FFCRA\) Employee Paid Leave Rights Poster \(PDF\)](#)
- [Families First Coronavirus Response Act \(FFCRA\) Employer Paid Leave Rights Poster \(PDF\)](#)
- [Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave under The Families First Coronavirus Response Act \(FFCRA\) Poster \(PDF\)](#)

U.S. Food & Drug Administration (FDA)

- [FAQs on Diagnostic Testing for SARS-CoV-2](#)

U.S. Equal Employment Opportunity Commission (EEOC)

- [What You Should Know About the ADA, the Rehabilitation Act, and COVID-19](#)
- [Pandemic Preparedness in the Workplace and the Americans With Disabilities Act](#)

Internal Revenue Service

- [Frequently Asked Questions about Taxation of Provider Relief Payments](#)
- [FAQs: Employee Retention Credit under the CARES Act](#)
- [COVID-19-Related Tax Credits for Required Paid Leave Provided by Small and Midsize Businesses FAQs](#)
- [Effective Date for Employment Tax Credits Under the Families First Coronavirus Response Act](#)
- [Relief from Penalty for Failure to Deposit Employment Taxes: Part III – Administrative, Procedural, and Miscellaneous](#)
- [Relief for Taxpayers Affected by Ongoing Coronavirus Disease 2019 Pandemic: Part III - Administrative, Procedural, and Miscellaneous](#)

National Healthcare Safety Network

- [NHSN Long Term Care Facilities modules](#)

Occupational Health and Safety Administration (OSHA)

- [Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 \(COVID-19\)](#)
- [Guidance on Preparing Workplaces for COVID-19 \(PDF\)](#)
- [Interim Enforcement Response Plan for Coronavirus Disease 2019 \(COVID-19\)](#)
- [COVID-19 Overview](#)

Commonwealth of Pennsylvania

- **NEW** - [PA DOH FAQ on COVID-19 and Treatment Drugs \(PDF\)](#)
- [PA Department of Health: Targeted Mitigation Order - Frequently Asked Questions](#)
- [Order of the Governor of the Commonwealth of Pennsylvania Directing Targeted Mitigation Measures \(PDF\)](#)

- **PA Department of Health: Order of the Secretary of the Pennsylvania Department of Health Requiring Universal Face Coverings (PDF)**
- **PA Department of Human Services: Medical Assistance (MA) Beneficiaries may not be Charged for Personal Protective Equipment (PPE) Used in Connection with Medical or Dental Services (PDF)**
- **PA Department of Education: Preliminary Guidance: Phased Reopening of Schools**
- **PA Department of Health: UPDATE: Risk Assessment and Work Restrictions for Healthcare Personnel with Potential Exposure to COVID-19 (PDF)**
- **PA Department of Health: ADVISORY: Test-based Strategies for Preventing Transmission of the Virus that Causes COVID-19 in Skilled Nursing Facilities (PDF)**
- **PA Department of Health: HAN: Universal Testing of COVID-19 for Nursing Homes (PDF)**
- **PA Department of Health: Alert: Preparing Water Systems Prior to Reopening Buildings (PDF)**
- **PA Governor Wolf's Order Amending Stay at Home Through June 1, 2020 (PDF)**
- **Amendment to the Order of the Secretary of the Pennsylvania Department of Health to Stay at Home (PDF)**
- **PA Governor Tom Wolf's "Yellow Phase" Order (PDF)**
- **PA Department of Health's "Yellow Phase" Order (PDF)**
- **Frequently asked questions related to the Governor's Executive Order mandating closures for COVID-19 mitigation (PDF)**
- **PA Governor Tom Wolf's Executive Order to Enhance Protections for Health Care Professionals (PDF)**
- **PA Department of Health HAN – 504 – 05-04-UPD (discontinuation of isolation for persons with COVID-19 not in healthcare settings) (PDF)**
- **PA Department of Health HAN – 501 – 05-01- UPDATE: Return to Work for Healthcare Personnel with Confirmed or Suspected COVID-19 (PDF)**
- **PA Governor Tom Wolf's Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public**
- **PA Department of Health HAN – 502 – 05-01-ADV ADVISORY: Discontinuation of transmission-based Precautions for Patients with COVID-19 (PDF)**
- **PA Governor Tom Wolf Vetos Telehealth Bill and Issues Guidance for Cross-Agency Telehealth**
 - **Veto Message**
 - **Cross-agency Telehealth Guidance**
- **PA DOH Secretary Levine issues new guidance to allow the resumption of elective surgeries April 27, 2020:**
 - **Guidance on Ambulatory Surgical Facilities' Responses to COVID-19 (PDF)**
 - **Guidance on Hospitals' Responses to COVID-19 (PDF)**
- **Guidance for Businesses in the Construction Industry Permitted to Operate During the COVID-19 Disaster Emergency (PDF)**
- **Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operations (PDF)**
- **Order of the Secretary of the Pennsylvania Department of Health Directing Building Safety Measures (PDF)**
- **PA Department of Health: HEALTH CARE ALERT: Return to Work for Healthcare Personnel with Confirmed or Suspected COVID-19 - April 21, 2020 (PDF)**
- **Pennsylvania Opens Construction, PLCB Wine & Spirit Sales, and Online Car Sales**

On April 20, 2020, by Orders of the Governor and Secretary of Health, Pennsylvania conditionally opened construction as of 5/8/20 and online car sales and PLCB curbside wine and spirit sales immediately (4/20/20). **Click here to view**

For construction, opening on May 8, 2020, is conditioned upon compliance with two sets of health, safety & welfare guidelines. **Click here to view.**

 - Revised spreadsheet of the businesses that may be open (revised to reflect 4/20/20 orders)**
 - FAQ's (revised to reflect 4/20/20 orders)**
- **PA Department of Health - Staffing Resources for Nursing Care Facilities During the COVID-19 Pandemic: Frequently Asked Questions (PDF)**
- **Plan for Pennsylvania: Commonwealth's Plan for COVID-19-Related Relief, Reopening, and Recovery**
- **PA Department of Health – UPDATE: Interim Infection Prevention and Control Recommendations for Patients with Known or Patients Under Investigation for 2019 Novel Coronavirus (COVID19) in a Healthcare Setting**
- **Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-Person Operations April 15, 2020 (PDF)**

- [Pennsylvania Department of Health: Interim Pennsylvania Crisis Standards of Care for Pandemic Guidelines April 10, 2020 Version 2 \(PDF\)](#)
- [Secretary of the Department of Education: Order Closing Pennsylvania Schools for the Remainder of the School Year](#)
- [Pennsylvania Department of Health: Guidance on Homemade Masks](#)
- [Pennsylvania Office of Unemployment Compensation: COVID-19 Guidance & Resources](#)

City of Philadelphia

- [City of Philadelphia Department of Public Health: Emergency Order Concerning Operation of Long-Term Care Facilities and Activities of Residents to Prevent the Spread of 2019 Novel Coronavirus \(COVID-19\)](#)

Pennsylvania Bar Association

- [Pennsylvania Bar Association Ethics Opinion: Attorneys Working Remotely](#)