November 23, 2020

What You Should Know about the Commonwealth Travel Quarantine Order
Townships should consider requiring employees to comply with the commonwealth’s new travel quarantine order. The order requires any Pennsylvanian who travels to another state and anyone who visits from another state to have a negative COVID-19 test within 72 hours before entering Pennsylvania. If someone cannot get a test or chooses not to, they must quarantine for 14 days. Click here for more about the travel order.

Townships could require employees to provide proof of a negative test to shorten the length of potential leave. Additional township required tests would be at the township’s expense. If the test is negative, employees could be required to return to work.

If an employee must quarantine due to the order, the leave would be covered under the Families First Coronavirus Relief Act (FFCRA), which would require the township to provide additional paid leave of up to 10 days for any employee at their regular hours and rates. Employees who can telework during a quarantine would not be eligible for FFCRA leave. Townships may exempt emergency personnel, including public works employees, from receiving FFCRA leave. FFCRA leave requirements will expire on December 31, 2020. Please note that while local governments are required to provide FFCRA leave, they are not eligible for reimbursement of these costs. Click here for more on FFCRA leave.

Townships should determine now how they will handle travel quarantine situations, as well as employees who test positive for COVID-19 or are told to quarantine by a healthcare provider or the state Department of Health. To help you with this challenge, labor law attorneys from the firm of Eckert Seamans held a PSATS Town Hall last week to discuss how to manage employees during the pandemic, including the new travel quarantine. To listen to the free recording, click here.

COVID-19 Cases Continue to Set Records; Hospitalizations Equal Spring Peak
The statewide COVID case total stands at 302,564, while the total deaths attributed to COVID-19 have reached 9,801, with more than 500 deaths reported this week. Pennsylvania set a new daily record of 7,126 positive cases on Thursday. The average daily number of positive cases for the week was 5,914.

Nationally, average daily rates now exceed 160,000, with several daily records set this week. Daily cases per 100,000 continue to rise fastest in the Midwest, now led by North Dakota, Wyoming, and South Dakota, while the highest total daily cases are being reported in Illinois, California, and Texas. Nationally, total deaths from COVID-19 now exceed 250,000.

The number of COVID-19 hospitalizations in Pennsylvania saw an increase for the ninth week in a row, from 2,440 to 3,379, or 38%. On Saturday, the state Department of Health announced that the number of hospitalizations in Pennsylvania has now reached levels last seen in May, when the spring peak for hospitalizations was at its highest. 775 of these patients,
or 23%, are in an ICU. The number of COVID-19 patients on a ventilator statewide increased from 265 to 371.

To help combat the pandemic, the state Department of Health added testing sites in Lackawanna County this week. In addition, the department distributed rapid antigen test kits this week to institutions in Bedford, Cambria, Franklin, Lancaster, and Lehigh counties, including nursing homes, colleges, correctional facilities, and healthcare providers. If your township needs to find a testing site, click here to find the closest one.

Pennsylvania’s statewide percent-positivity rate has increased from 9.6% to 11.1%, which means the entire state qualifies for the “watch” list for the fourth straight week. In fact, 66 of Pennsylvania’s 67 counties had percent-positivity rates of 5% or more for the last week. Only Cameron County had a percent-positivity rate of less than 5%. No county dropped off the list this week, and Susquehanna County is back on after one week off the list.

- Counties with percent-positivity rates of more than 5% but less than 10%: Adams, Allegheny, Beaver, Centre, Chester, Elk, Fayette, Forest (new), Lackawanna, Montgomery, Montour, Northumberland, Pike, Snyder, Sullivan, Susquehanna (new), Union (new), Venango, Warren, and Wayne (new).
- Counties with percent-positivity rates of more than 20%: Bedford, Juniata, Mifflin, and Tioga.

Click here for more county-specific information.

**Feds to Distribute New Monoclonal Antibody Therapy, Approve Second Therapy**
The state Department of Health has announced that the federal government will be distributing monoclonal antibodies to healthcare systems throughout the commonwealth based on county case counts. Monoclonal antibodies are proteins created in a laboratory that mimic the immune system’s ability to fight off harmful antigens, like the COVID-19 virus.

The healthcare partners who receive the monoclonal antibodies will ensure that patients who meet the criteria, according to federal guidelines, will be able to receive this treatment. Federal guidelines authorize use of the antibodies for those with mild to moderate COVID-19 in adult and certain pediatric patients.

In addition, the U.S. Food and Drug Administration has issued an emergency use authorization for a second type of monoclonal antibody treatment, casirivimab and imdevimab, which are administered together to treat mild to moderate COVID-19 in adults and children 12 or older who are at high risk for progressing to severe COVID-19. These treatments are administered intravenously. Click here for more.