

## CORONAVIRUS

HBS represents health care professionals and insurers in a wide range of coronavirus-related litigation and regulatory matters.

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### Overview

As businesses, schools, governments, and individuals grapple with unprecedented extended closures in an effort to disrupt the spread of coronavirus, our Coronavirus Strategic Team of attorneys is helping clients navigate the complex and unusual legal matters and business issues that arise.

Hall Booth Smith's Coronavirus Strategic Team is a team of highly experienced attorneys with diverse skill sets, knowledge, and expertise across the disciplines most affected by the coronavirus pandemic, including medical malpractice, employment, liability, regulatory, and insurance.

Engaging experienced legal counsel as the coronavirus crisis unfolds is critical. We help clients establish best practices and protocols for handling the myriad issues that unexpectedly arise each day. We provide guidance on reviewing the legal implications of decisions that are made and documenting actions that are taken. We help gather and preserve valuable evidence that can protect their interests and help build a strong defense should litigation occur in the future.

Our Coronavirus Strategic Team represents health care facilities and long-term care centers, physicians, nurses, and other professionals who will likely face lawsuits in the coming months and years alleging misdiagnosis, negligent diagnosis, negligent

### Leadership



#### Drew Graham

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**Full Team**

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care, wrongful death, and other high-exposure claims.

We also represent restaurants, hotels, retailers, sports and entertainment groups, and other businesses in the hospitality industry that may face claims by employees or customers over the spread of coronavirus, disinfecting and cleaning practices, lost revenue, layoffs, workers' compensation claims, and other business decisions.

Our Coronavirus Strategic Team also supports clients in day-to-day business needs, emerging issues and unexpected challenges that arise when work forces are suddenly working from home for extended periods of time, including cybersecurity issues, file access, data storage and security, and best practices for minimizing exposure and risk during this global crisis.

We help clients navigate immigration, visa and work permit issues, as well as implications from global travel restrictions, border closures and mandatory quarantines for those who may be exposed to the virus.

We are closely monitoring fast-changing regulatory and legislative matters at the federal, state and local levels to help our clients remain compliant with recommendations and mandates that affect their businesses. Our team is also prepared to make proactive recommendations so clients can take advantage of government relief packages, special lending programs and other stimulus programs that may be introduced.

## Perspectives

Our Coronavirus Task Force includes attorneys able to provide a focused approach from a variety of perspectives:

- Long-Term Care
- Insurance Coverage
- Education
- Workers' Compensation
- Medical Malpractice
- Cybersecurity
- Employment
- General Liability / Hospitality
- Regulatory

- Legislative
- 

## Publications

### **Biden-Harris Administration's Plans to Crack Down on Nursing Homes Indicate Upcoming Uptick in Survey Activity**

March 9, 2022

On March 1, 2022, President Joe Biden delivered his first State of the Union address—announcing plans “to set higher standards for nursing homes” and to “crack down on the ‘Wall Street firms’” allegedly taking over nursing homes...

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### **Indiana's Adams County Superior Court Dismisses Malpractice Claim for Treatment of COVID-19 under State Immunity Statute**

February 8, 2022

Written by: Jeffrey T. Wolber, Esq. On February 1, 2022, Judge Samuel K. Conrad of the Superior Court of Adams County, Indiana, granted summary judgment on behalf of a hospital and EMS entity. (Anonymous Hospital v. Peterson, No. 01D01-2107-CT-000014 (Adams Superior Court Feb. 1, 2022)). The petitioners/defendants asserted immunity under Ind. Code §§ 34-30-13.5-1 and

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## **Orange County Supreme Court Dismisses Claims of Nursing Home Negligence related to Pressure Ulcers and Fungal Dermatitis without Prejudice under the EDTPA in Crampton v. Garnet Health**

December 7, 2021

Written by: Jeffery T. Wolber, Esq. Judge Bartlett of Orange County Supreme Court granted a partial motion to dismiss under §3211(a)(7) (failure to state a claim) based on the civil immunity provided by New York's Emergency or Disaster Treatment Protection Act (EDTPA). Although this is a trial court decision, its analysis will be helpful for

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## **In the Press**

## **HB Litigation Conferences: McColskey & Cianflone on Government Involvement in Personal Medical Care Decisions**

June 13, 2023

In a recent article for HB Litigation Conferences, Jacksonville Associate Bryce McColskey and Atlanta Partner Sandra Mekita Cianflone review government involvement in personal medical care decisions during outbreaks of disease. Their article discusses "the intersection of law and medicine with a review of medical mandates, the impact of advances in science and medicine, and where

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## **Part B News: Beth Boone on the Rapid Increase in Liability Insurance Premiums**

[June 6, 2023](#)

In an article published on May 15, 2023, in Part B News, Brunswick Partner Beth Boone discusses the rapid increase in liability insurance premiums and ways to mitigate the cost. Beth says some of the change could be down to the post-COVID landscape while it could also be shifting business conditions or inflation. She says

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## **Part B News: Jacqueline Voronov on Remaining Mask Mandates & Enforcement**

[June 5, 2023](#)

In an article published on May 18, 2023, in Part B News, Paramus Partner Jacqueline Voronov shares her insight about remaining masks mandates after the end of the COVID-19 Public Health Emergency on May 11. Jacqueline says that practices cannot selectively enforce their requirements, commenting, "If you're going to say, for example, dietary doesn't have

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