



Israel Practice

# COVID-19 INSIGHTS

## Holland & Knight COVID-19 Insights

May 8, 2020

We trust you and your families are all well, safe and in good health. Holland & Knight in partnership with the Israel-America Chamber of Commerce keeps you updated on pertinent American-Israeli topics relating to legal considerations and federal funding opportunities in connection with the coronavirus (COVID-19).

We invite you to read the Alerts below and reach out to us to discuss your thoughts or any questions you may have on this issue.

More information is available on our [COVID-19 Response Team page](#).

### Relevant Insights:

- [Paycheck Protection Program: Updated Guidance on Counting Employees in Foreign Affiliates](#)

The U.S. Small Business Administration (SBA), in consultation with the U.S. Department of the Treasury, has provided updated guidance on how to count employees in foreign affiliates for the purposes of determining the 500 or fewer employee size standard for the Paycheck Protection Program (PPP).



לשכת מסחר ישראל-אמריקה  
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- [Safe Harbor Deadline for Repayment of PPP Loans Extended from May 7 to May 14](#)

The U.S. Small Business Administration (SBA), in consultation with the U.S. Department of the Treasury, has extended the deadline to repay Paycheck Protection Program (PPP) loans by one week. SBA intends to provide additional guidance on how it will review the certification prior to May 14, 2020.

- [SBA Paycheck Protection Program Loans: Forgiveness Guidance, Part I](#)

A key feature of the CARES Act Paycheck Protection Program is the 'forgiveness' aspect of the Program. The SBA has yet to release its overdue Interim Final Rule focusing on forgiveness, which will include the key definitions and instructions for loan forgiveness. PPP loan recipients should immediately organize documentation and procedures in accordance with the current rules and expectations. In addition, loan recipients should continue to follow the new IFRs, frequently asked questions and developments, especially concerning forgiveness, as released.

- [Considerations and Practicalities for Returning Employees to Work During a Pandemic](#)

This is the first of a semiweekly series of alerts by Holland & Knight's Labor, Employment and Benefits Group that will focus on return-to-work issues. As shelter-in-place orders are being lifted and employers are permitted to reopen their workspaces, they will need to do so with caution while wading through a patchwork of local, state and federal requirements and understanding what guidance or recommendations are mandatory.

- [Maintaining a Safe Workplace: Screening Employees as They Return to Work During a Pandemic](#)

As states and local governments phase out their stay-at-home orders enacted in response to COVID-19, businesses will be faced with new challenges regarding the safety of workers, including whether it is permissible to ask employees about symptoms and risk factors, as well as whether employees can be tested. Certain types of screening can be required of employees as workplaces reopen. Employers must treat information learned from employee screening as confidential medical information.

- [FDA Updates Policy for Antibody Tests for COVID-19: New Requirements for Manufacturers](#)

In response to the COVID-19 pandemic and the need for more diagnostic testing, the U.S. Food and Drug Administration (FDA) has developed several pathways for manufacturers and developers of COVID-19 diagnostic tests to lawfully market their products – even without FDA clearance or approval.



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- [10 Post-Pandemic Regulatory Considerations for Telehealth Providers](#)

The COVID-19 pandemic and the unprecedented limitations on in-person healthcare delivery, however, have led to a flurry of state and federal emergency healthcare regulations and guidance specific to telehealth. Although temporary, many of these changes may actually accelerate long-lasting regulatory developments that encourage telehealth. This Holland & Knight alert highlights 10 key regulatory considerations for telehealth providers to consider and provides insights as to what the post-pandemic landscape might look like.

#### **Business Opportunity:**

Holland & Knight has a client that is looking to get rubberized or flexible, plasticized prototypes made to cover a standardized Securus technologies prison phone, and [hopefully] then start manufacturing, as there is commercial interest in the product. They are also open to partnering, or even licensing. More context on the client and necessity for this is available in the Esquire article [The Day the Coronavirus Came to Prison](#). Please contact Holland & Knight attorney [Eric Yecies](#) for additional information.

#### **About Our Israel Practice:**

Holland & Knight is a U.S.-based global law firm with a strong commitment to the state of Israel. With an intimate understanding of the Israeli economic, political and social environment, members of Holland & Knight's [Israel Practice Team](#) provide a wide array of legal services to both Israeli clients operating abroad and companies and investors doing business in Israel. With more than 1,400 professionals in 28 offices, we are highly experienced in all the interdisciplinary areas necessary to guide entrepreneurs, investors, and startup or established companies through the opportunities and challenges that arise throughout the business or investment life cycles. Areas of legal guidance that are typically provided to our Israel Practice clients include real estate, mergers and acquisitions, private equity, international tax, cross border and customs, Internet privacy and cybersecurity, intellectual property, government lobbying, regulations and compliance, U.S. Foreign Corrupt Practices Act (FCPA), U.S. Foreign Account Tax Compliance Act (FATCA), and litigation and dispute resolution.

**DISCLAIMER:** Please note that the situation surrounding COVID-19 is evolving and that the subject matter discussed in these publications may change on a daily basis. Please contact your responsible Holland & Knight lawyer or the authors of these alerts for timely advice.

The information provided herein presents general information and should not be relied on as legal advice when analyzing and resolving a specific legal issue. If you have specific questions regarding a particular fact situation, please consult with competent legal counsel about the facts and laws that apply.

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