

**IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)**

**THE FLORIDA BAR,  
Complainant,**

**Supreme Court Case  
No. SC17-1391**

**v.**

**The Florida Bar File  
No. 2016-70,106 (11J)**

**JONATHAN S. SCHWARTZ,  
Respondent.**

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**RESPONDENT'S UNOPPOSED MOTION REQUESTING REMOTE  
(ZOOM) ORAL ARGUMENT**

Respondent Jonathan Schwartz, pursuant to Fla. R. App. P. 9.320 and Rule 3-7.7(c)(4) of the Rules Regulating The Florida Bar, seeks the scheduling of a remote (Zoom) oral argument as a reasonable alternative to the in-person court proceeding scheduled for September 1, 2021. This motion is not opposed by counsel for The Florida Bar. The following grounds are offered in support of this request.

1. This Court scheduled oral argument for September 1, 2021. That oral argument week is scheduled for the resumption of live courtroom appearances.

2. For health and safety considerations, and consistent with Supreme Court of Florida Administrative Order No. AOSC21-17, Amendment 1, *In Re: Covid-19 Health and Safety Protocols and*

*Emergency Operational Measures for Florida Appellate and Trial Courts* (July 29, 2021), Respondent’s counsel requests the Court to conduct the oral argument remotely, allowing the parties to utilize existing technology for this purpose.

3. As of the filing of this motion, August 6, 2021, the Florida Department of Health Covid-19 website (published August 6, 2021)<sup>1</sup> reported Florida’s “new case positivity” at 18.5%, with a continuing increase of new Covid-19 cases during the past ten weeks. Miami-Dade County, where Respondent’s counsel is domiciled and headquartered, is represented on the Department of Health website as having a cumulative case positivity rate of 19.9%, with new case positivity of 12.7%. Leon County’s overall positivity rate is reported at 18.8%, with a new case positivity of 15.9%.

4. In dealing with the pandemic, the National Center for State Courts identified “generally suspending in-person proceedings” as “one of the most common efforts state courts are taking to combat the coronavirus” as of August 6, 2021.<sup>2</sup>

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1 [http://ww11.doh.state.fl.us/comm/\\_partners/covid19\\_report\\_archive/covid19-data/covid19\\_data\\_latest.pdf](http://ww11.doh.state.fl.us/comm/_partners/covid19_report_archive/covid19-data/covid19_data_latest.pdf) (last accessed August 6, 2021).

2 <https://www.ncsc.org/newsroom/public-health-emergency> (last accessed August 6, 2021).

5. Respondent's counsel is concerned about the spread and potential health impact of the more virulent "Delta" variant of the Covid-19, and is aware that the Centers for Disease Control & Prevention (CDC) "Covid Data Tracker Weekly Review categorizes Florida as a "High" risk for community transmission of Covid-19, noting that "Most states and jurisdictions are experiencing substantial or high levels of community transmission fueled by the spread of the highly contagious B.1.617.2 (Delta) variant."<sup>3</sup> A summary of the Florida State Covid-19 Profile published by the CDC and attached as Exhibit A confirms that Florida is experiencing a significant increase in Covid-19 transmissions.

6. Respondent's counsel, who assists with the caretaking functions for counsel's elderly parents-in-law (both nonagenarians), is especially sensitive to the possibility of transmitting the breakthrough Covid virus that could result in serious adverse medical effects on elderly vaccinated persons and those with compromised immune systems. As a result, Respondent's counsel continues to avoid or restrict most in-person interactions with

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<sup>3</sup> <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/covidview/index.html> (last accessed August 6, 2021).

persons not residing within his home or who are not part of his close familial circle.

7. As a result of this continuing increase in Covid-19 transmission throughout the United States and across the globe, the CDC revised its health guidance for vaccinated and unvaccinated persons on July 27, 2021. While travel for vaccinated persons is authorized, the CDC still recommends travelers take safety precautions and self-monitor for Covid-19 symptoms upon returning from travel.

8. Respondent's counsel is hesitant to travel to Tallahassee by commercial conveyance to appear at the oral argument, although counsel will of course comply with this Court's decision if an in-person oral argument is required.

9. Counsel for The Florida Bar is also located out-of-town and would also be required to travel to Tallahassee.

10. Respondent's counsel asks, in an abundance of caution, to schedule this case for a remote oral argument. Respondent's counsel waited for more realistic scientific information to develop before resorting to asking for a remote oral argument. The publication of CDC and Florida Department of Health data this week obviates

any likelihood that the spread of the highly transmissible Covid-19 Delta variant has slowed, or that community conditions are moving in a positive direction. When this Court set the case for oral argument, Respondent's counsel was of the now-mistaken belief that pandemic conditions were nearing an end. The most recent health and science information dictates otherwise, prompting counsel to initiate this request sufficiently in advance of the scheduled oral argument.

11. This request is made for the purpose stated and is consistent with the interests of personal and community health considerations. Allowing a remote oral argument will not adversely impact the resolution of this case and will allow the Court and the parties to fairly consider the case under conditions that promote health, wellness, and safety.

Respectfully submitted,

**KUEHNE DAVIS LAW, P.A.**

Miami Tower, Suite 3105

100 S.E. 2 St.

Miami, FL 33131-2154

Tel: 305.789.5989

Fax: 305.789.5987

ben.kuehne@kuehnelaw.com

mdavis@kuehnelaw.com

efiling@kuehnelaw.com

By: S/ Benedict P. Kuehne  
**BENEDICT P. KUEHNE**  
**Florida Bar No. 233293**  
**MICHAEL T. DAVIS**  
**Florida Bar No. 63374**

**CERTIFICATE OF SERVICE**

I certify this document was emailed on August 6, 2021, to:

**JENNIFER R. FALCONE**

Florida Bar No. 624284  
Bar Counsel  
The Florida Bar – Miami  
Branch Office  
444 Brickell Avenue, Suite M-  
100  
Miami, FL 33131-2404  
Tel: 305.377.4445  
jfalcone@floridabar.org

**PATRICIA ANN TORO SAVITZ**

Florida Bar No. 559547  
Bar Counsel  
The Florida Bar  
651 E. Jefferson Street  
Tallahassee, FL 32399-2300  
Tel: 850.561.5839  
psavitz@floridabar.org

**RICHARD BARON**

Baron Breslin & Sarmiento  
169 E Flagler St Ste 700  
Miami, FL 33131-1203  
rb@richardbaronlaw.com

**CHRIS ALTENBERND**

Banker Lopez Gassler P.A.  
501 E Kennedy Blvd Ste 1700  
Tampa, FL 33602-5239  
caltenbernd@bankerlopez.com

**BARRY M. WAX**

Law Offices of Barry M. Wax  
Barry M Wax PLLC  
701 Brickell Ave Ste 1550  
Miami, FL 33131-2824  
barry@barrywax.com

By: S/ Benedict P. Kuehne  
**BENEDICT P. KUEHNE**



# FLORIDA

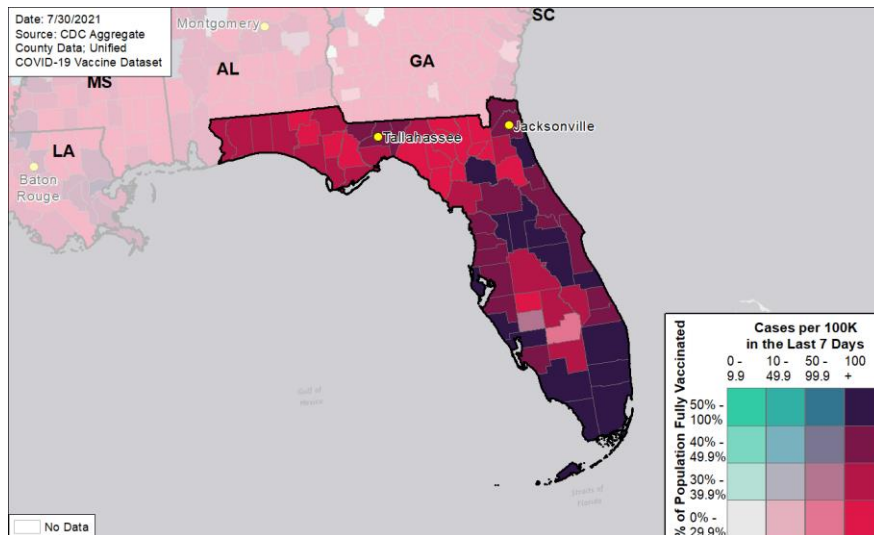
## STATE SYNOPSIS

	LAST WEEK	CHANGE FROM PREVIOUS WEEK
RATE OF NEW COVID-19 CASES PER 100,000	481	+53%
NUCLEIC ACID AMPLIFICATION TEST (NAAT) POSITIVITY RATE	17.9%	+3.1%
NEW CONFIRMED COVID-19 HOSPITAL ADMISSIONS / 100 BEDS	17.7	+56%
RATE OF NEW COVID-19 DEATHS PER 100,000	1.2	-28%
COMMUNITY TRANSMISSION LEVEL	<b>HIGH TRANSMISSION</b>	
PEOPLE RECEIVED AT LEAST 1 DOSE	12,344,424 people	57.5% of total pop.
PEOPLE 18+ RECEIVED AT LEAST 1 DOSE	11,808,540 people	68.5% of 18+ pop.
PEOPLE FULLY VACCINATED	10,474,974 people	48.8% of total pop.
PEOPLE 18+ FULLY VACCINATED	10,108,225 people	58.6% of 18+ pop.

### SARS-CoV-2 Variants of Concern

- The following proportions of variants of concern have been identified in [Florida](#): B.1.1.7 (Alpha, 33.8%), B.1.351 (Beta, 0.0%), B.1.617.2 (Delta, 36.8%), P.1 (Gamma, 13.4%)

### COVID-19 Reported Cases per 100,000 Population (last 7 days) and Percent of Total Population Fully Vaccinated



Skilled Nursing Facilities data has been removed from the table on the second page for each state. This data can be found on [the CMS website](#). Zoomed state maps of cases, NAAT positivity, hospital admissions, and deaths, previously on the seventh and eighth pages for each state have been condensed to one page. One month ago maps have been removed.





# FLORIDA

STATE PROFILE REPORT | 07.30.2021

	STATE, % CHANGE FROM PREVIOUS WEEK			
	STATE	WEEK	FEMA/HHS REGION	UNITED STATES
<b>NEW COVID-19 CASES (RATE PER 100,000)</b>	<b>103,299 (481)</b>	<b>+53%</b>	<b>185,896 (278)</b>	<b>469,566 (141)</b>
<b>NUCLEIC ACID AMPLIFICATION TEST (NAAT) POSITIVITY RATE</b>	<b>17.9%</b>	<b>+3.1%*</b>	<b>15.1%</b>	<b>8.2%</b>
<b>TOTAL NAAT VOLUME (TESTS PER 100,000)</b>	<b>527,068** (2,454**)</b>	<b>+23%**</b>	<b>939,316** (1,404**)</b>	<b>5,036,876** (1,517**)</b>
<b>NEW COVID-19 DEATHS (RATE PER 100,000)</b>	<b>257 (1.2)</b>	<b>-28%</b>	<b>530 (0.8)</b>	<b>1,926 (0.6)</b>
<b>CONFIRMED AND SUSPECTED NEW COVID-19 HOSPITAL ADMISSIONS (RATE PER 100 BEDS)</b>	<b>11,202 (21.2)</b>	<b>+50% (+50%)</b>	<b>21,842 (14.0)</b>	<b>71,870 (10.1)</b>
<b>CONFIRMED NEW COVID-19 HOSPITAL ADMISSIONS (RATE PER 100 BEDS)</b>	<b>9,372 (17.7)</b>	<b>+56% (+56%)</b>	<b>16,448 (10.5)</b>	<b>40,577 (5.7)</b>
<b>NUMBER OF HOSPITALS WITH SUPPLY SHORTAGES (PERCENT)</b>	<b>5 (2%)</b>	<b>+0%</b>	<b>49 (5%)</b>	<b>313 (6%)</b>
<b>NUMBER OF HOSPITALS WITH STAFF SHORTAGES (PERCENT)</b>	<b>10 (5%)</b>	<b>+67%</b>	<b>106 (11%)</b>	<b>660 (13%)</b>
<b>PEOPLE 12+ INITIATING VACCINATION (PERCENT OF POPULATION)</b>	<b>280,618 (1.5%)</b>	<b>+32.0%</b>	<b>746,646 (1.3%)</b>	<b>2,928,742 (1.0%)</b>
<b>PEOPLE 12-17 INITIATING VACCINATION (PERCENT OF POPULATION)</b>	<b>43,639 (3.0%)</b>	<b>+18.1%</b>	<b>128,774 (2.6%)</b>	<b>554,442 (2.2%)</b>
<b>PEOPLE 18+ INITIATING VACCINATION (PERCENT OF POPULATION)</b>	<b>236,979 (1.4%)</b>	<b>+35.0%</b>	<b>617,872 (1.2%)</b>	<b>2,374,300 (0.9%)</b>

\* Indicates absolute change in percentage points.

\*\* Due to delayed reporting, this figure may underestimate total diagnostic tests and week-on-week changes in diagnostic tests.

**DATA SOURCES**

**Note:** Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

**Cases and Deaths:** State values are aggregated data provided by the states to the CDC. Historical reports of cases and deaths exceeding 1% of the total new cases or deaths reported in the US that day have been excluded. Data is through 7/29/2021; previous week is from 7/16 to 7/22.

**Testing:** CELR (COVID-19 Electronic Lab Reporting) state health department-reported data. The term Nucleic Acid Amplification Test (NAAT) includes RT-PCR and other testing methods. Test positivity through 7/27/2021; previous week is from 7/14 to 7/20. Test volume through 7/23/2021; previous week is from 7/10 to 7/16.

**Admissions:** Unified Hospitals Dataset in HHS Protect. Data is through 7/28, previous week is from 7/15 to 7/21.

**Shortages:** Unified Hospitals Dataset in HHS Protect. Values presented show the latest reports from hospitals in the week ending 7/28/2021 for staffing and the week ending 7/28/2021 for supplies.

**Vaccinations:** [CDC COVID Data Tracker](#). Data includes the Moderna, Pfizer BioNTech, and J&J/Janssen COVID-19 vaccines and reflects current data available as of 09:57 EDT on 07/30/2021. Data last updated 06:00 EDT on 07/30/2021. People initiating vaccination include those who have received the first dose of the Moderna or Pfizer-BioNTech vaccine as well as those who have received one dose of the J&J/Janssen vaccine. Population denominators reflect the subset of the population of the corresponding age range.

**METHODS:** Details available on last two pages of report.

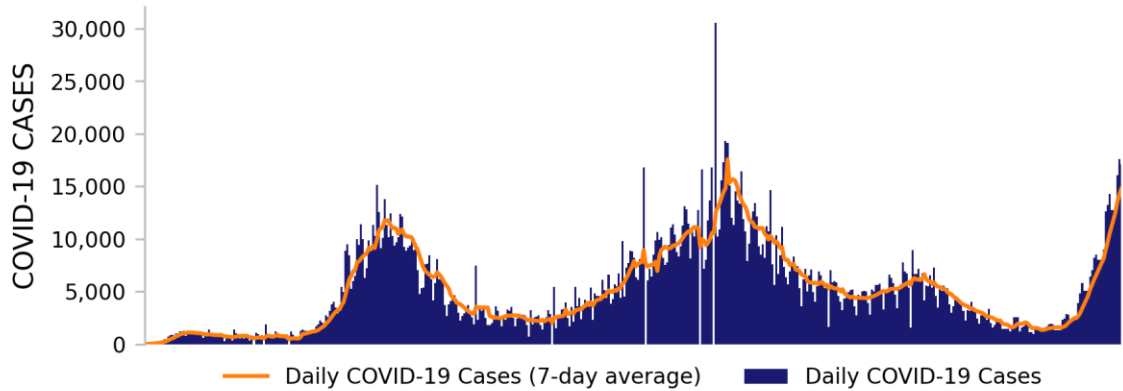




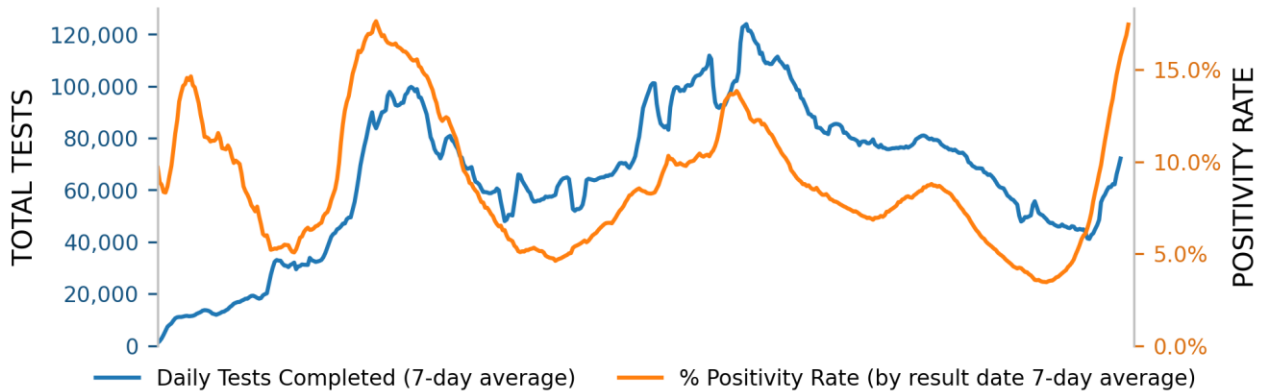
# FLORIDA

STATE PROFILE REPORT | 07.30.2021

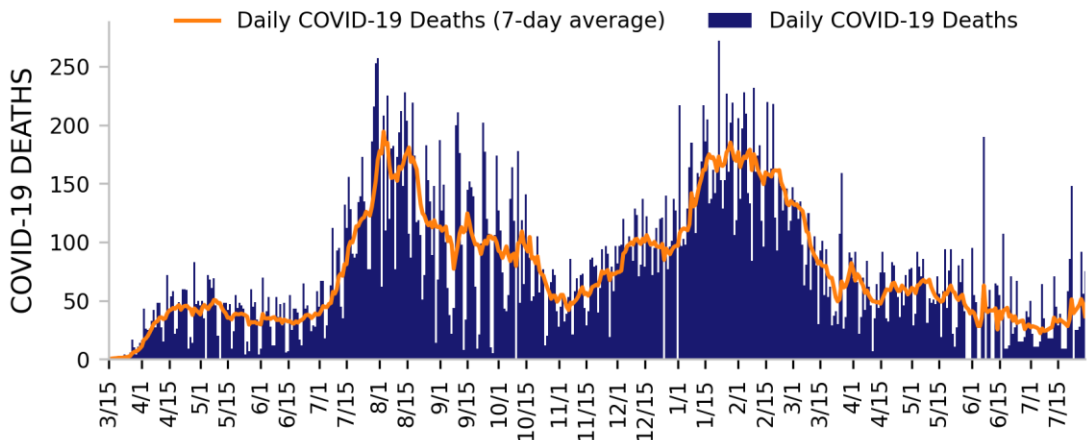
## NEW CASES



## TESTING



## NEW DEATHS



### DATA SOURCES

**Note:** Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes. All three trends share the same horizontal axis shown on the bottom figure.

**Cases and Deaths:** State values are aggregated data provided by the states to the CDC. Historical cases and deaths exceeding 1% of the total new cases or deaths reported in the US that day have been excluded. Data is through 7/29/2021.

**Testing:** CELR (COVID-19 Electronic Lab Reporting) state health department-reported data. Test positivity through 7/27/2021. Test volume through 7/23/2021.

**METHODS:** Details available on last two pages of report.



# FLORIDA

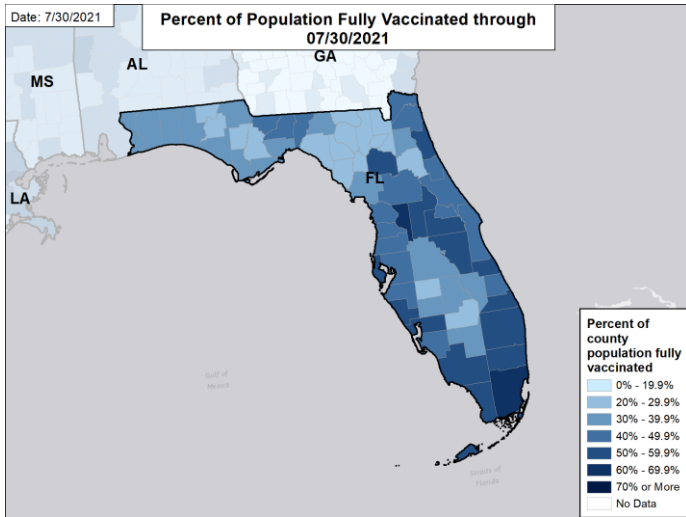
STATE PROFILE REPORT | 07.30.2021

## STATE VACCINATION SUMMARY

**DOSES DELIVERED** 26,157,735  
121,790 per 100k

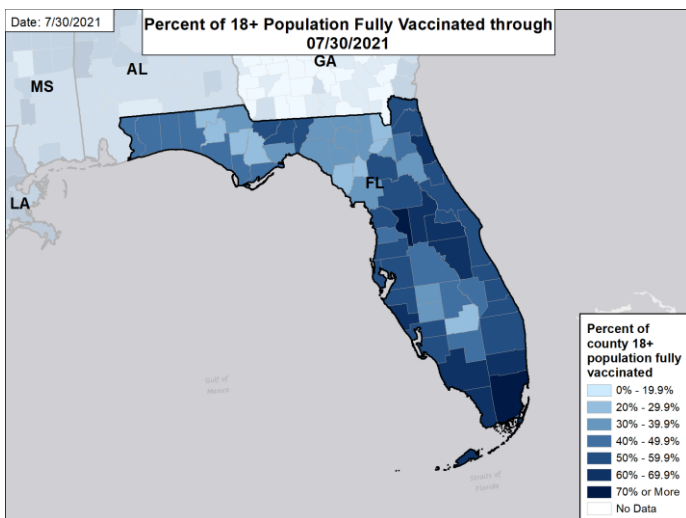
**DOSES ADMINISTERED** 22,478,870  
104,661 per 100k

### PERCENT OF POPULATION FULLY VACCINATED

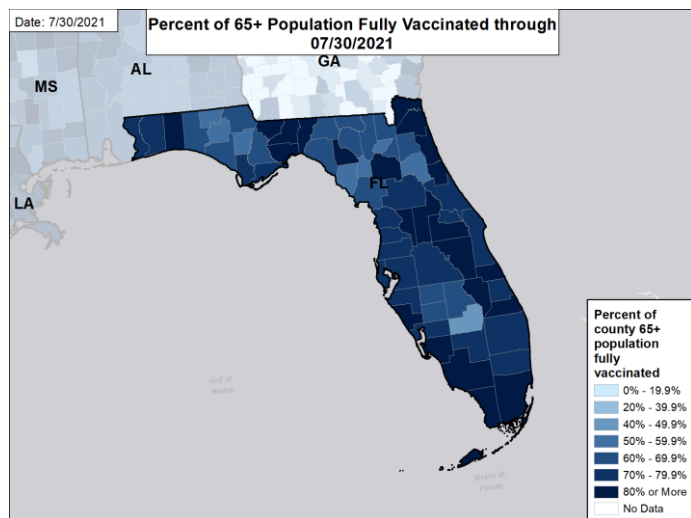


	RECEIVED AT LEAST ONE DOSE	FULLY VACCINATED
<b>ALL PEOPLE</b>	12,344,424 57.5% of total pop.	10,474,974 48.8% of total pop.
<b>PEOPLE 12-17</b>	528,260 36.5% of 12-17 pop.	365,259 25.2% of 12-17 pop.
<b>PEOPLE 18+</b>	11,808,540 68.5% of 18+ pop.	10,108,225 58.6% of 18+ pop.
<b>PEOPLE 65+</b>	4,117,323 91.6% of 65+ pop.	3,600,389 80.1% of 65+ pop.

### PERCENT OF 18+ POPULATION FULLY VACCINATED



### PERCENT OF 65+ POPULATION FULLY VACCINATED



#### DATA SOURCES

County reporting completeness for Florida is 98.6%.

**Vaccinations:** [CDC COVID Data Tracker](#). Data includes the Moderna, Pfizer BioNTech, and J&J/Janssen COVID-19 vaccines and reflects current data available as of 09:57 EDT on 07/30/2021. Data last updated 06:00 EDT on 07/30/2021. Persons who are fully vaccinated include those who have received both doses of the Moderna or Pfizer-BioNTech vaccine as well as those who have received one dose of the J&J/Janssen vaccine. Allocations are made pro rata (equal based on population) from which jurisdictions are then to order.

**METHODS:** Details available on last two pages of report.

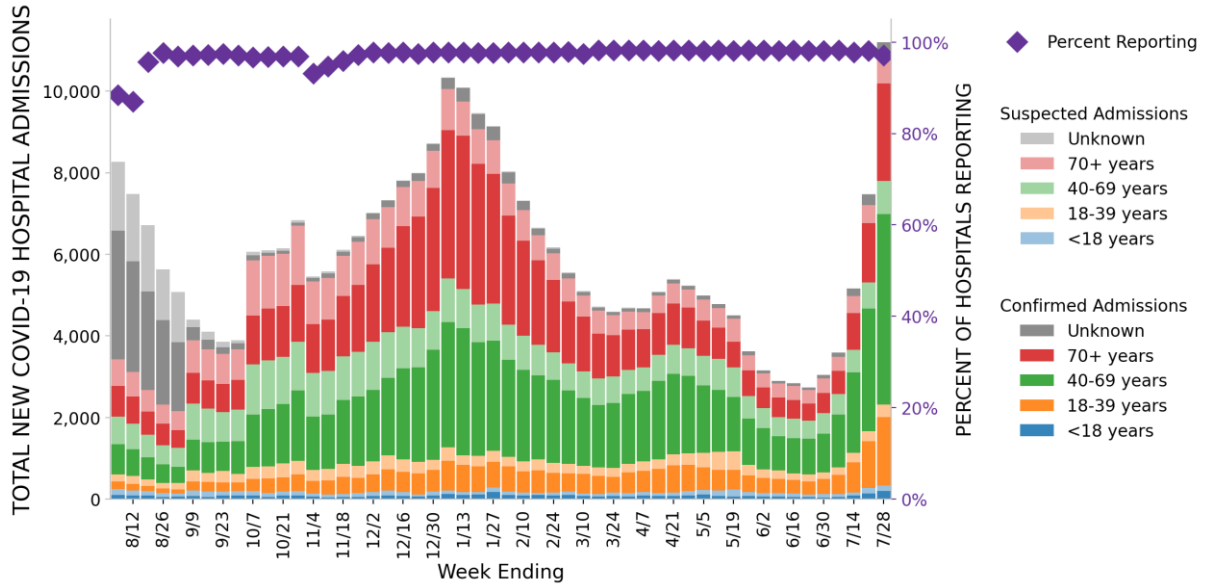


# FLORIDA

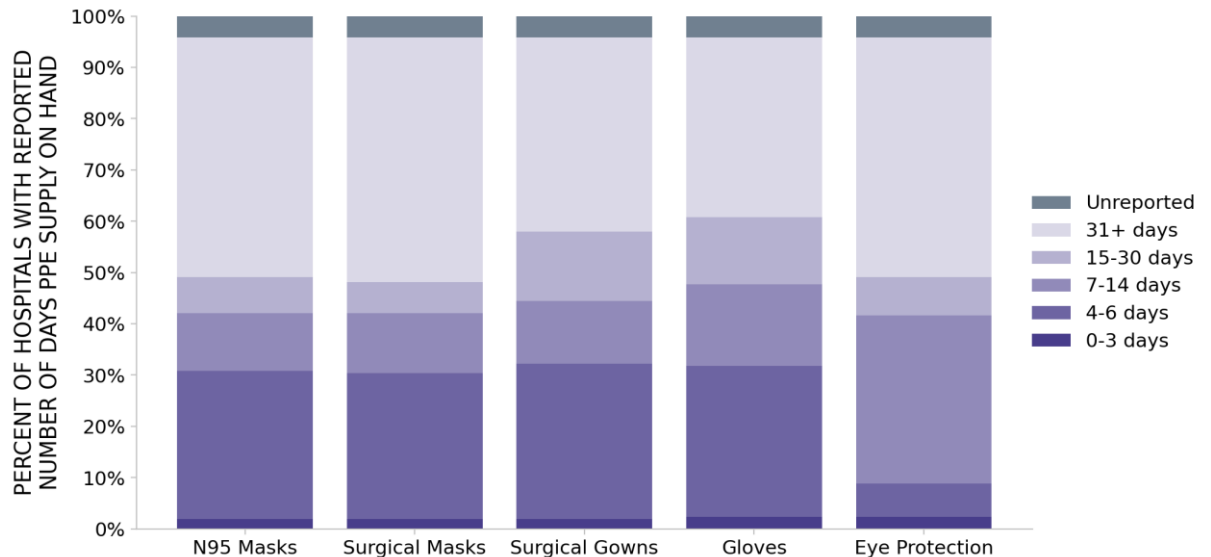
STATE PROFILE REPORT | 07.30.2021

214 hospitals are expected to report in Florida

## HOSPITAL ADMISSIONS



## HOSPITAL PPE SUPPLIES



### DATA SOURCES

**Hospitalizations:** Unified Hospitals Dataset in HHS Protect. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. Hospitals explicitly identified by states/regions as those from which we should not expect reports were excluded from the percent reporting figure. Data is through 7/28/2021.

**PPE:** Unified Hospitals Dataset in HHS Protect. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. Values presented show the latest reports from hospitals in the week ending 7/28/2021.

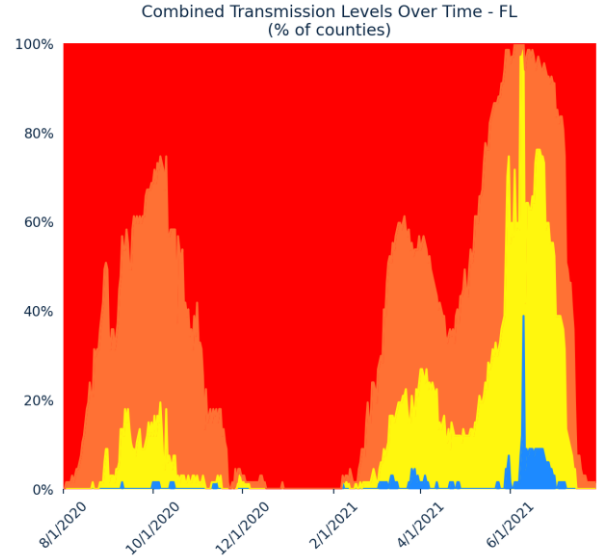
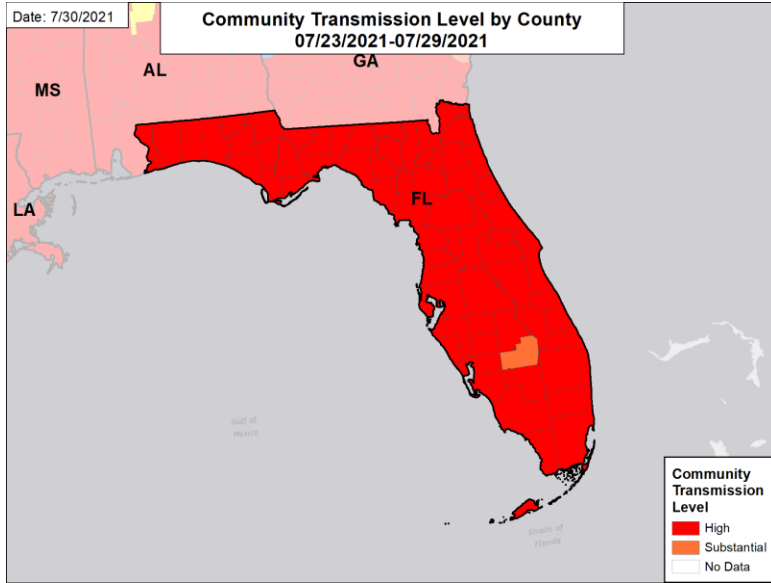
**METHODS:** Details available on last two pages of report.



# FLORIDA

STATE PROFILE REPORT | 07.30.2021

## COMMUNITY TRANSMISSION BY COUNTY AND METRO AREA



### COUNTIES AND METRO AREAS BY COMBINED TRANSMISSION LEVEL

CATEGORY	LOW TRANSMISSION BLUE	MODERATE TRANSMISSION YELLOW	SUBSTANTIAL TRANSMISSION ORANGE	HIGH TRANSMISSION RED
# OF COUNTIES (CHANGE)	0 (0)	0 (0)	1 (↓1)	66 (↑1)
# OF METRO AREAS (CHANGE)	0 (0)	0 (0)	0 (↓1)	29 (↑1)

**All Orange Counties:** Glades

**All Red Counties:** Miami-Dade, Duval, Broward, Orange, Hillsborough, Palm Beach, Pinellas, Polk, Volusia, Brevard, Lee, Pasco, Seminole, Osceola, St. Johns, Clay, Lake, St. Lucie, Marion, Bay, Manatee, Sarasota, Collier, Leon, Escambia, Alachua, Nassau, Hernando, Martin, Oka loosa, Santa Rosa, Flagler, Indian River, Putnam, Charlotte, Citrus, Columbia, Jackson, Baker, Sumter, Gadsden, Bradford, Walton, Levy, Highlands, Suwannee, Monroe, Hardee, Wakulla, Calhoun, Union, Washington, Gulf, Okeechobee, Dixie, Hendry, Gilchrist, Holmes, Hamilton, Madison, Liberty, Lafayette, DeSoto, Jefferson, Taylor, Franklin

**All Red CBSAs:** Miami-Fort Lauderdale-Pompano Beach, Tampa-St. Petersburg-Clearwater, Jacksonville, Orlando-Kissimmee-Sanford, Deltona-Daytona Beach-Ormond Beach, Lakeland-Winter Haven, Palm Bay-Melbourne-Titusville, North Port-Sarasota-Bradenton, Cape Coral-Fort Myers, Port St. Lucie, Pensacola-Ferry Pass-Brent, Tallahassee, Ocala, Panama City, Gainesville, Naples-Marco Island, Crestview-Fort Walton Beach-Destin, Sebastian-Vero Beach, Palatka, Punta Gorda, Homosassa Springs, Lake City, The Villages, Sebring-Avon Park, Key West, Wauchula, Okeechobee, Clewiston, Arcadia

#### DATA SOURCES

Maps and figures reflect 7-day average of data from 7/23-7/29 (cases), 7/21-7/27 (tests). Metro areas and counties are listed in order of the total number of cases in the last week from largest to smallest.

**Note:** Most recent days may have incomplete reporting.

**Cases:** County-level data is from a CDC managed aggregate county dataset compiled from state and local health departments; therefore, the values may not match those reported directly by the state. Data is through 7/29/2021. As of 6/4, Florida is only updating their county case data on Fridays, therefore values for the last week may be an underestimate.

**Testing:** CELR (COVID-19 Electronic Lab Reporting) state health department-reported data. Data is through 7/27/2021.

**Combined Transmission Level:** If the two indicators suggest different transmission levels, the higher level is selected. Previous week transmission levels are computed based on current data. See [CDC COVID-19 Data Explorer](#)

**METHODS:** Details available on last two pages of report.

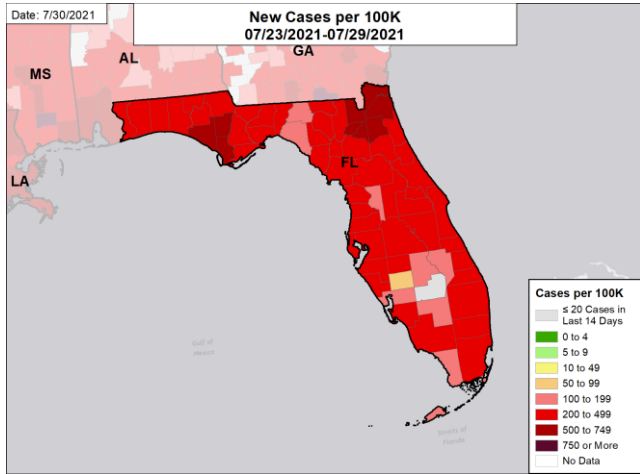


# FLORIDA

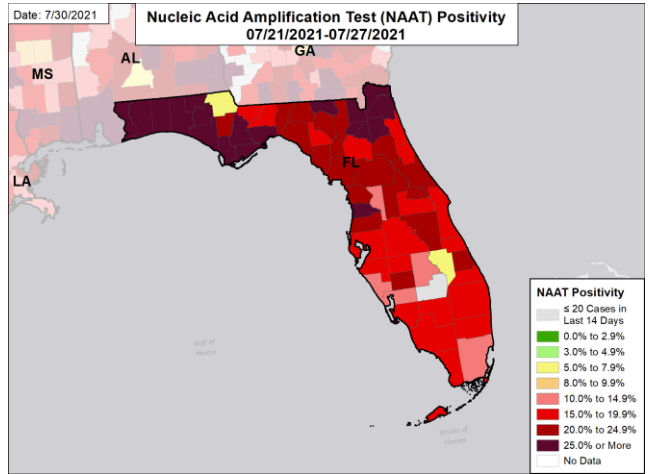
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## CASE RATES, NAAT POSITIVITY, HOSPITAL ADMISSIONS, AND DEATH RATES

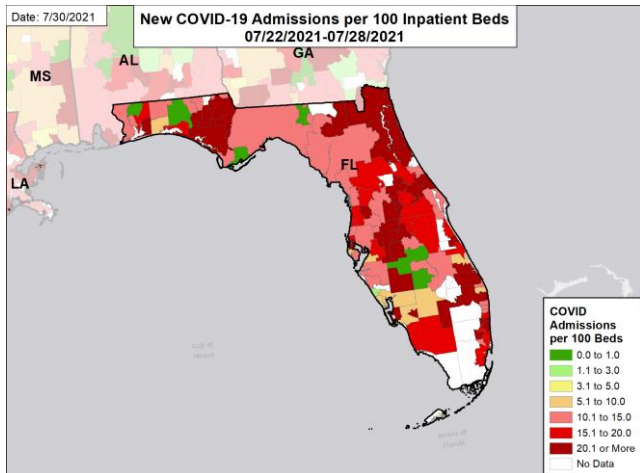
### NEW CASES PER 100,000



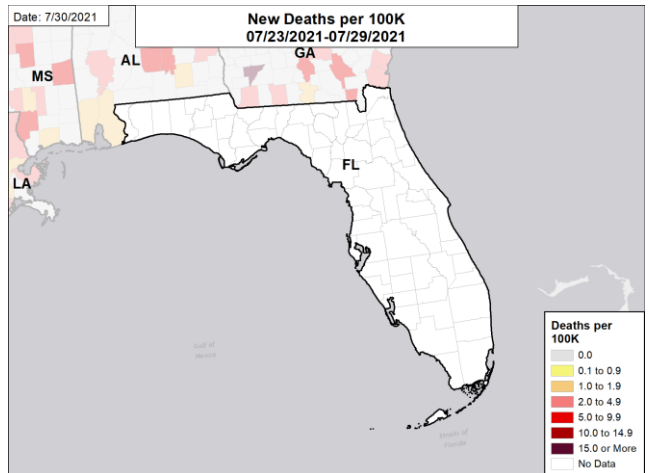
### NUCLEIC ACID AMPLIFICATION TEST (NAAT) POSITIVITY



### CONFIRMED NEW COVID-19 ADMISSIONS PER 100 INPATIENT BEDS



### NEW DEATHS PER 100,000



**DATA SOURCES**

**Note:** Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

**Cases and Deaths:** County-level data is from a CDC managed aggregate county dataset compiled from state and local health departments; therefore, the values may not match those reported directly by the state. As of 6/4, Florida is only updating their county case data on Fridays, therefore values for the last week may be an underestimate. As of 6/5, Florida is no longer updating their county death data; therefore after 6/4 no county death data is available. Data is through 7/29/2021.

**Testing:** CELR (COVID-19 Electronic Lab Reporting) state health department-reported data. The term Nucleic Acid Amplification Test (NAAT) includes RT-PCR and other testing methods. Data is through 7/27/2021.

**Hospitalizations:** Unified Hospitals Dataset in HHS Protect. Totals include only confirmed COVID-19 admissions. Data is through 7/28/2021.

**METHODS:** Details available on last two pages of report.

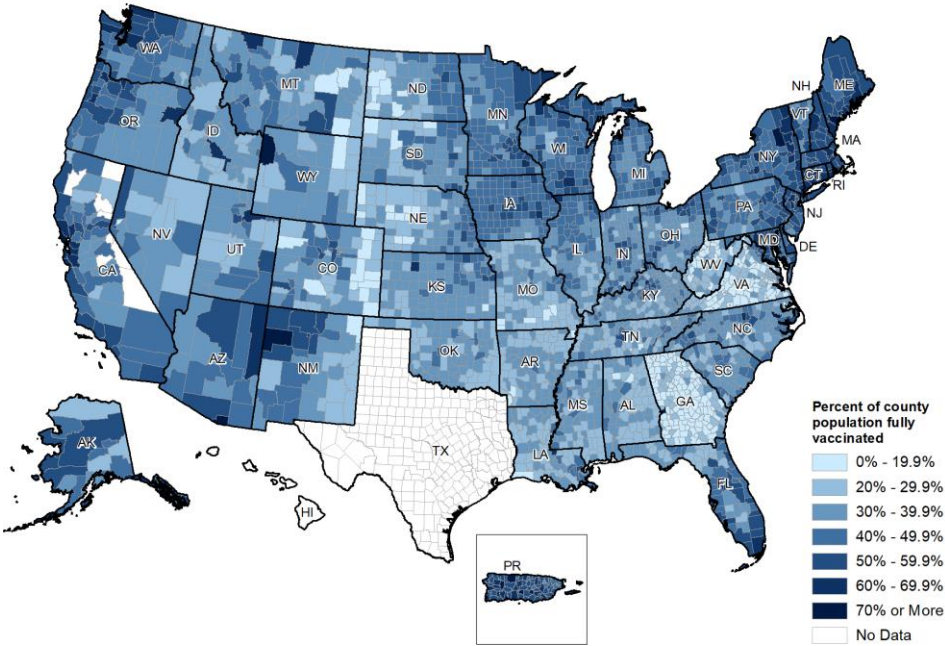




# National Picture: Vaccinations

### PERCENT OF POPULATION FULLY VACCINATED

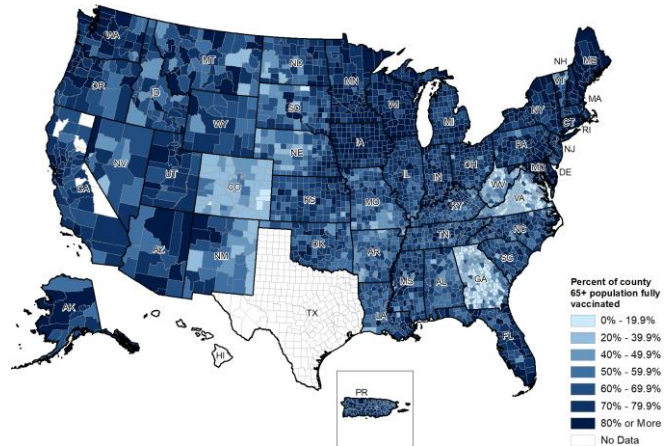
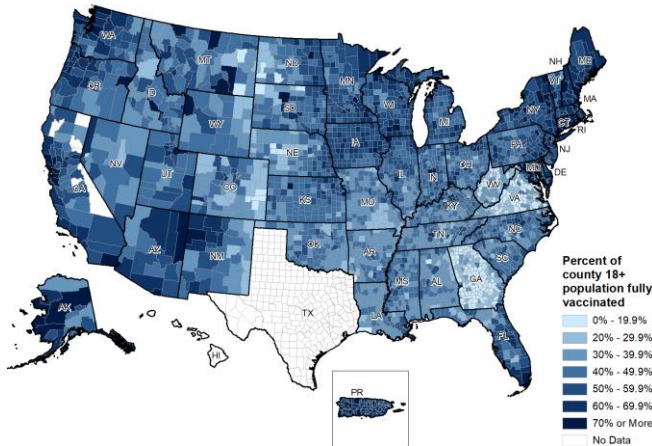
### NATIONAL RANKING OF POPULATION FULLY VACCINATED



National Rank	State	National Rank	State
1	VT	27	IL
2	MA	28	SD
3	ME	29	OH
4	CT	30	KY
5	RI	31	AK
6	PR	32	AZ
7	MD	33	KS
8	NJ	34	UT
9	NH	35	NV
10	WA	36	MT
11	NY	37	IN
12	NM	38	TX
13	OR	39	NC
14	DC	40	MO
15	VA	41	SC
16	CO	42	OK
17	MN	43	ND
18	HI	44	TN
19	CA	45	WV
20	DE	46	GA
21	PA	47	ID
22	WI	48	LA
23	IA	49	WY
24	NE	50	AR
25	MI	51	MS
26	FL	52	AL

### PERCENT OF 18+ POPULATION FULLY VACCINATED

### PERCENT OF 65+ POPULATION FULLY VACCINATED



#### DATA SOURCES

**Vaccinations:** [CDC COVID Data Tracker](#). Data includes the Moderna, Pfizer BioNTech, and J&J/Janssen COVID-19 vaccines and reflects current data available as of 09:57 EDT on 07/30/2021. Data last updated 06:00 EDT on 07/30/2021. Persons who are fully vaccinated include those who have received both doses of the Moderna or Pfizer-BioNTech vaccine as well as those who have received one dose of the J&J/Janssen vaccine. Allocations are made pro rata (equal based on population) from which jurisdictions are then to order. The following states have  $\leq 80\%$  completeness reporting vaccinations by county, which may result in underestimates of vaccination data for counties: CO (76%), VT (74%), WV (58%), GA (54%), VA (51%), HI (0%), and TX (0%).

**METHODS:** Details available on last two pages of report.

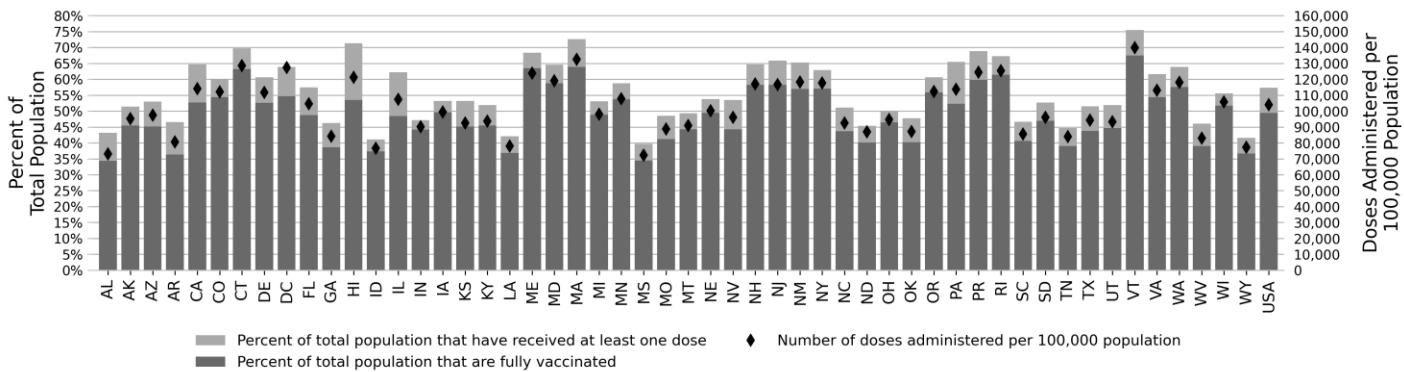
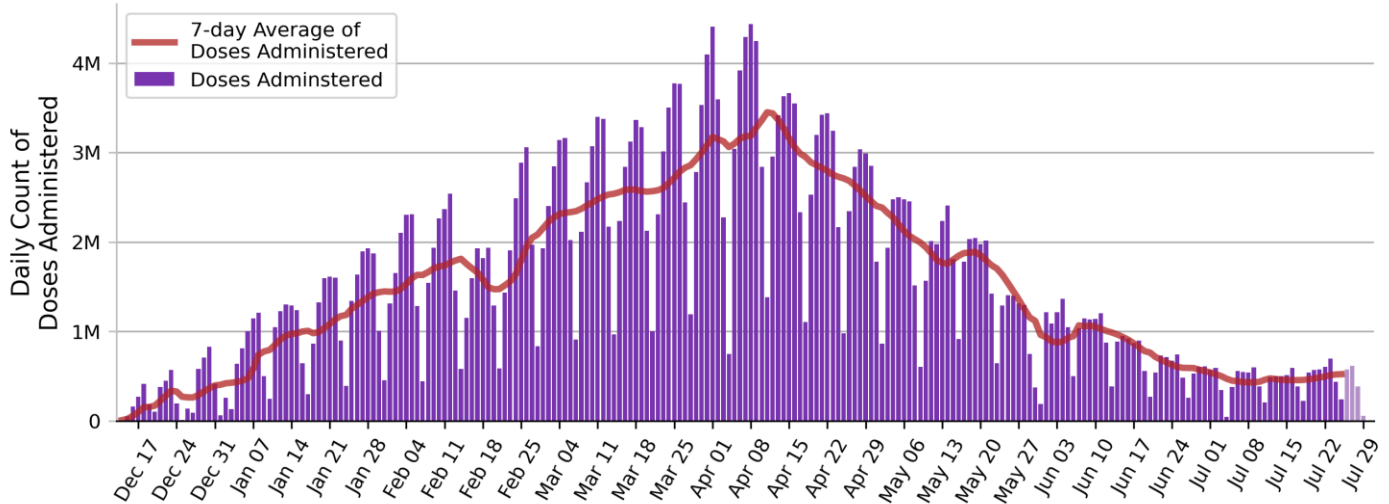


# National Picture: Vaccinations

NATIONAL COVID-19 VACCINE SUMMARY AS OF 7/30

<b>DOSES DELIVERED</b>	399,090,105 120,209 per 100k	<b>DOSES ADMINISTERED</b>	344,928,514 103,895 per 100k
<b>PEOPLE RECEIVED AT LEAST ONE DOSE</b>	190,509,183 57.4% of total pop.	<b>PEOPLE FULLY VACCINATED</b>	164,184,080 49.5% of total pop.
<b>PEOPLE 18+ RECEIVED AT LEAST ONE DOSE</b>	179,727,428 69.6% of 18+ pop.	<b>PEOPLE 18+ FULLY VACCINATED</b>	155,898,391 60.4% of 18+ pop.
<b>PEOPLE 65+ RECEIVED AT LEAST ONE DOSE</b>	49,116,130 89.6% of 65+ pop.	<b>PEOPLE 65+ FULLY VACCINATED</b>	43,750,567 79.8% of 65+ pop.

DAILY NATIONAL COUNT OF VACCINE DOSES ADMINISTERED BY DATE OF ADMINISTRATION



### DATA SOURCES

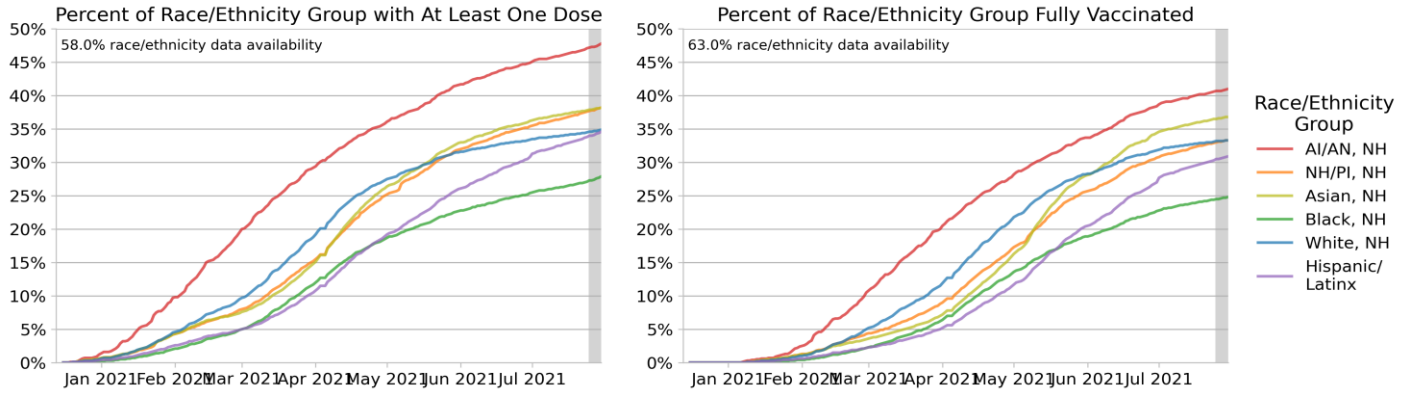
**Vaccinations:** [CDC COVID Data Tracker](#). Data includes the Moderna, Pfizer BioNTech, and J&J/Janssen COVID-19 vaccines and reflects current data available as of 09:57 EDT on 07/30/2021. Data last updated 06:00 EDT on 07/30/2021. Persons who are fully vaccinated include those who have received both doses of the Moderna or Pfizer-BioNTech vaccine as well as those who have received one dose of the J&J/Janssen vaccine. Allocations are made pro rata (equal based on population) from which jurisdictions are then to order. Due to delays in reporting, data on doses administered in recent days (as reflected by light blue coloring in the Daily National Count figure) may be an underestimate of the actual value.

**METHODS:** Details available on last two pages of report.

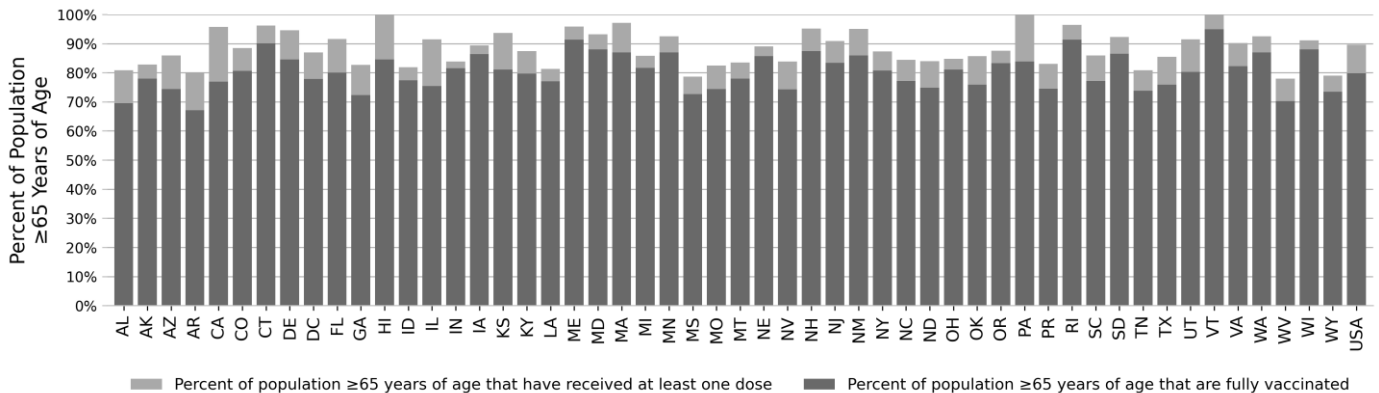
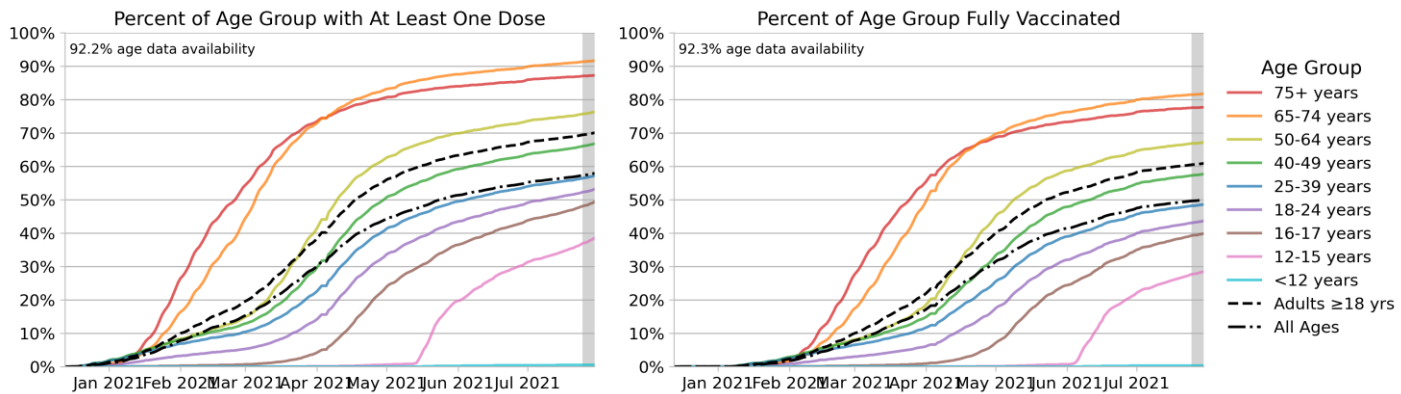


# National Picture: Vaccinations

## NATIONAL SUMMARY OF VACCINATIONS BY RACE/ETHNICITY



## NATIONAL SUMMARY OF VACCINATIONS BY AGE



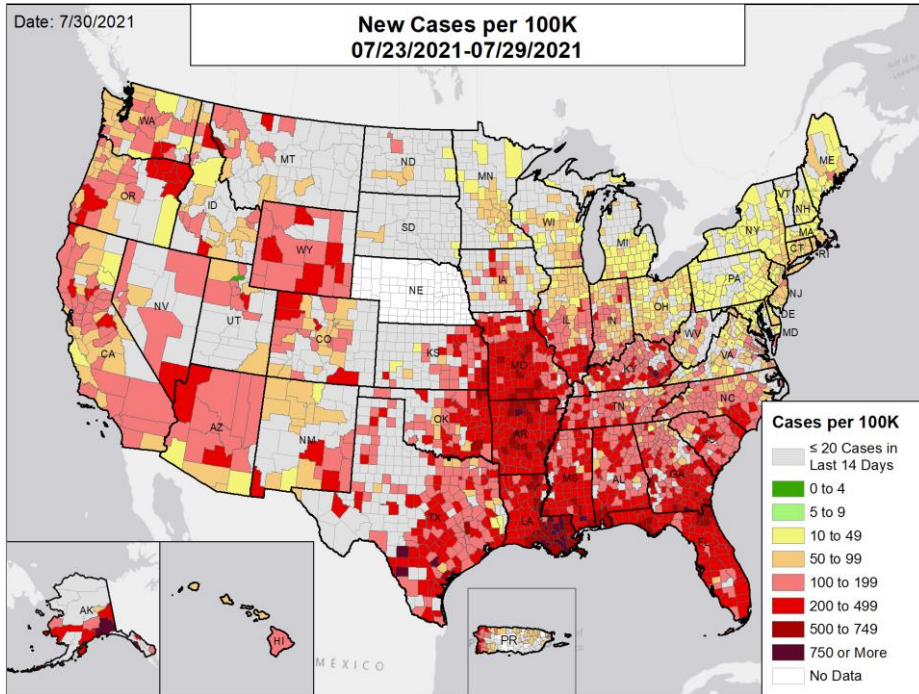




# National Picture: Cases

## NEW CASES PER 100,000

## NATIONAL RANKING OF NEW CASES PER 100,000



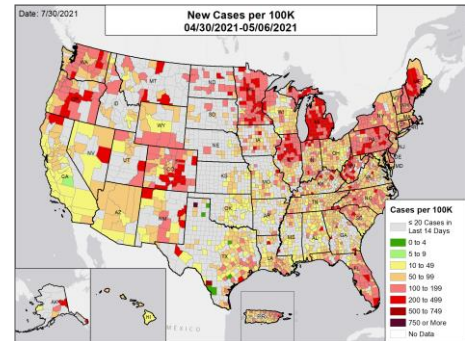
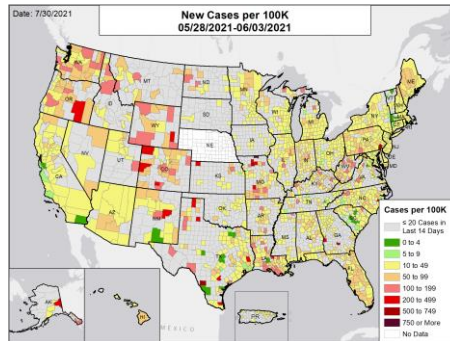
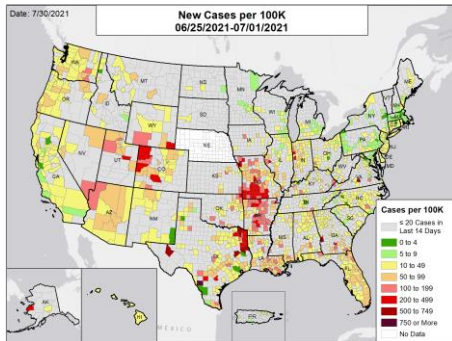
National Rank	State	National Rank	State
1	VT	27	NM
2	SD	28	CA
3	MI	29	IN
4	NH	30	MT
5	PA	31	HI
6	ME	32	OR
7	MD	33	ID
8	ND	34	NC
9	MN	35	WY
10	OH	36	AZ
11	DC	37	UT
12	CT	38	KS
13	DE	39	TN
14	IA	40	TX
15	MA	41	AK
16	NJ	42	KY
17	WV	43	SC
18	VA	44	GA
19	NY	45	NV
20	PR	46	OK
21	CO	47	AL
22	RI	48	MO
23	WI	49	MS
24	WA	50	AR
25	NE	51	FL
26	IL	52	LA

## NEW CASES PER 100,000 IN THE WEEK:

### ONE MONTH BEFORE

### TWO MONTHS BEFORE

### THREE MONTHS BEFORE



## DATA SOURCES

**Note:** Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

**Cases:** County-level data is from a CDC managed aggregate county dataset compiled from state and local health departments; therefore, the values may not match those reported directly by the state. State values are aggregated data provided by the states to the CDC. As of 6/4, Florida is only updating their county case data on Fridays, therefore values for the last week may be an underestimate. As of 6/30, Nebraska is no longer updating their state dashboard and since 5/26, Nebraska was reporting by Local Health Department instead of county; therefore, after 5/25 no county case and death data is available. The week one month before is from 6/25 to 7/1; the week two months before is from 5/25 to 6/3, the week three months before is from 4/30 to 5/6.

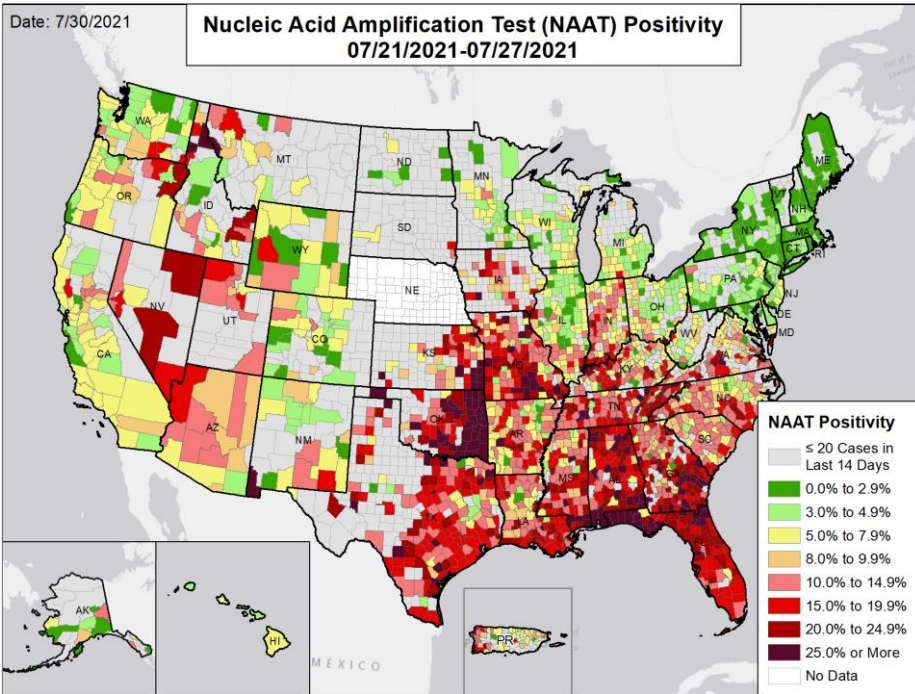
**METHODS:** Details available on last two pages of report.



# National Picture: NAAT Positivity

## NUCLEIC ACID AMPLIFICATION TEST (NAAT) POSITIVITY

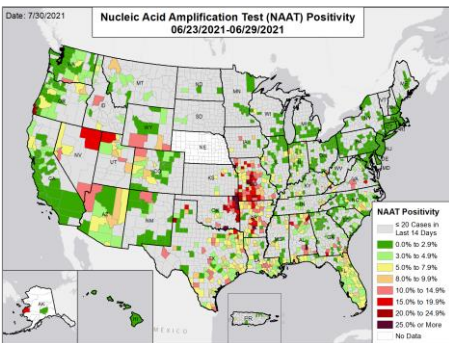
## NATIONAL RANKING OF NAAT POSITIVITY



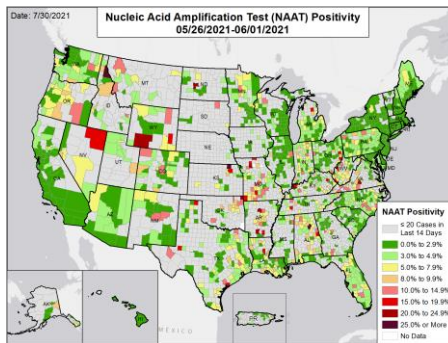
National Rank	State	National Rank	State
1	ME	27	AK
2	VT	28	PR
3	MA	29	VA
4	RI	30	MT
5	NH	31	IN
6	DC	32	NC
7	NY	33	SD
8	CT	34	IA
9	ND	35	KY
10	DE	36	AR
11	PA	37	UT
12	MD	38	ID
13	NJ	39	SC
14	MN	40	KS
15	MI	41	GA
16	IL	42	AZ
17	CO	43	TN
18	OH	44	MO
19	WA	45	NE
20	WV	46	LA
21	NM	47	TX
22	WY	48	NV
23	HI	49	FL
24	OR	50	MS
25	WI	51	AL
26	CA	52	OK

## NUCLEIC ACID AMPLIFICATION TEST (NAAT) POSITIVITY IN THE WEEK:

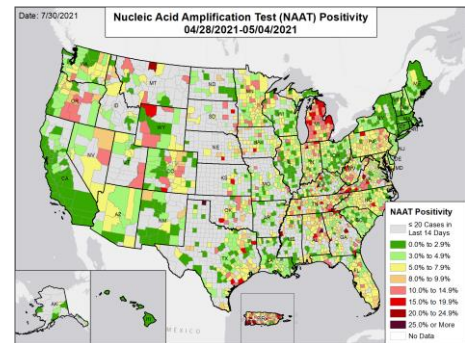
### ONE MONTH BEFORE



### TWO MONTHS BEFORE



### THREE MONTHS BEFORE



### DATA SOURCES

**Note:** Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

**Testing:** Combination of CELR (COVID-19 Electronic Lab Reporting) state health department-reported data and HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs). The term Nucleic Acid Amplification Test (NAAT) includes RT-PCR and other testing methods. Data is through 7/27/2021. The week one month before is from 6/23 to 6/29; the week two months before is from 5/26 to 6/1; the week three months before is from 4/28 to 5/4. As of 5/26, Nebraska is reporting by Local Health Department instead of county; therefore, after 5/25 no county case data is available and county test positivity cannot be accurately displayed.

**METHODS:** Details available on last two pages of report.

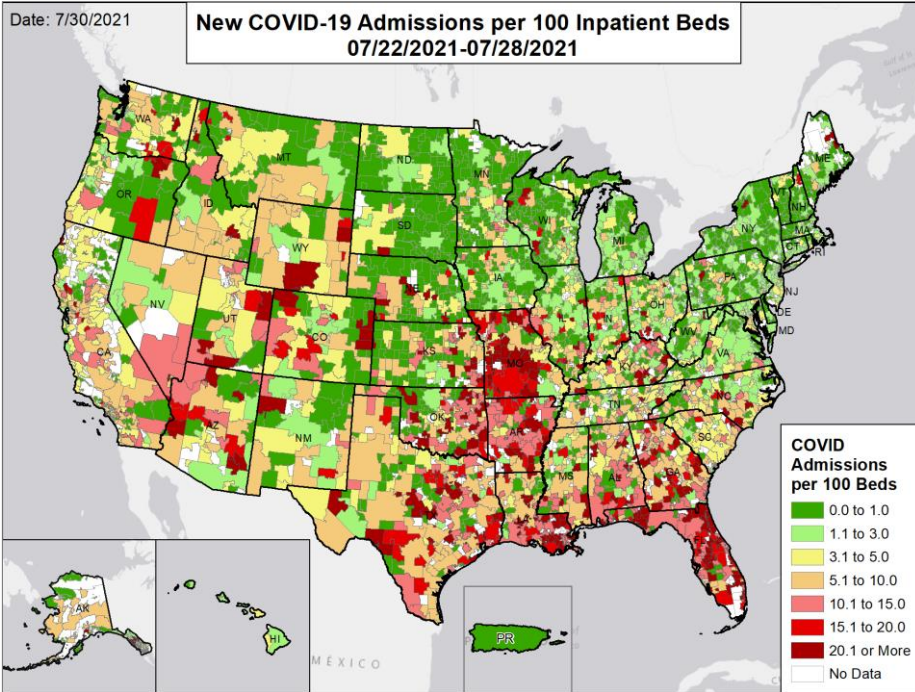




# National Picture: Hospital Admissions

CONFIRMED NEW COVID-19 ADMISSIONS PER 100 INPATIENT BEDS

NATIONAL RANKING OF CONFIRMED ADMISSIONS PER 100 BEDS



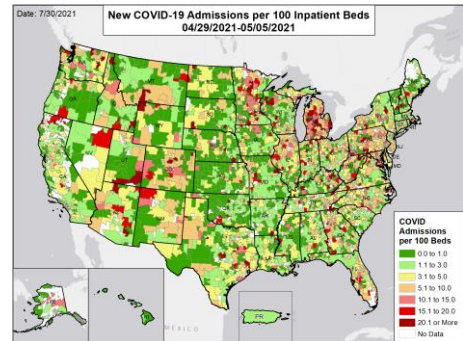
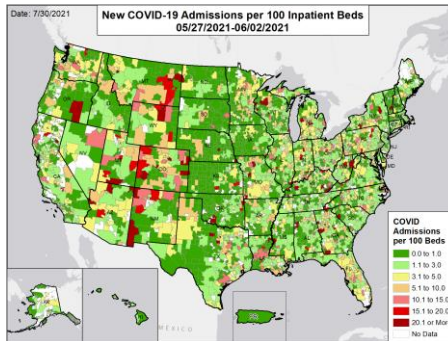
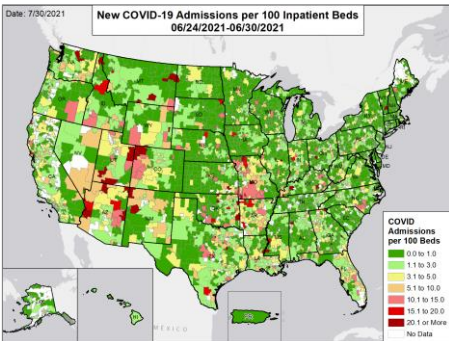
National Rank	State	National Rank	State
1	VT	27	OR
2	NH	28	WA
3	PR	29	TN
4	DE	30	NC
5	DC	31	NM
6	RI	32	ID
7	ND	33	MT
8	MA	34	CO
9	SD	35	SC
10	NY	36	KS
11	MI	37	AZ
12	PA	38	CA
13	CT	39	UT
14	NJ	40	AK
15	WV	41	WY
16	VA	42	KY
17	ME	43	MS
18	IA	44	OK
19	MD	45	TX
20	MN	46	GA
21	OH	47	MO
22	WI	48	AL
23	HI	49	NV
24	IL	50	AR
25	NE	51	LA
26	IN	52	FL

CONFIRMED NEW COVID-19 ADMISSIONS PER 100 INPATIENT BEDS IN THE WEEK:

ONE MONTH BEFORE

TWO MONTHS BEFORE

THREE MONTHS BEFORE



## DATA SOURCES

**Note:** Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

**Admissions:** Unified Hospitals Dataset in HHS Protect through 7/28/2021. Totals include only confirmed COVID-19 admissions. Puerto Rico is shown at the territory level as HSAs are not defined. The week one month before is from 6/24 to 6/30; the week two months before is from 5/27 to 6/2; the week three months before is from 4/29 to 5/5

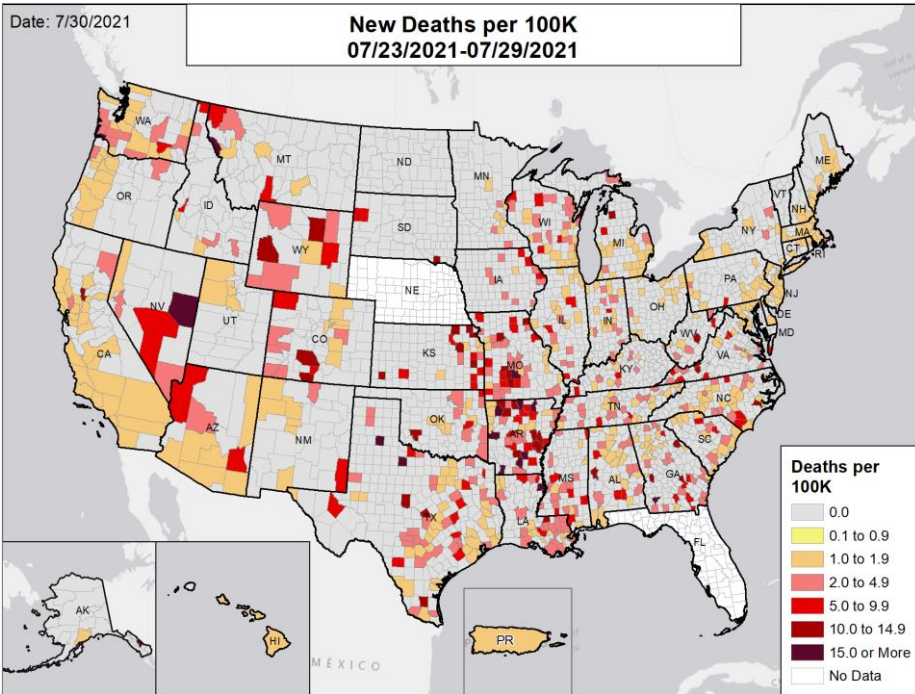
**METHODS:** Details available on last two pages of report.



# National Picture: Deaths

## NEW DEATHS PER 100,000

## NATIONAL RANKING OF NEW DEATHS PER 100,000



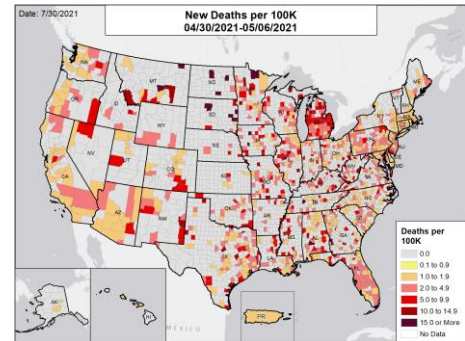
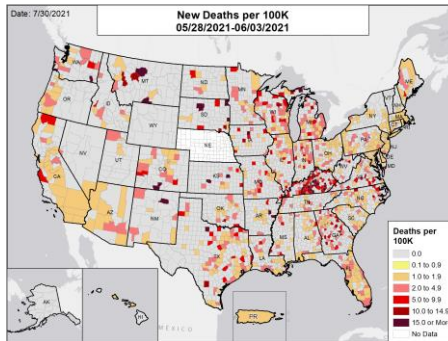
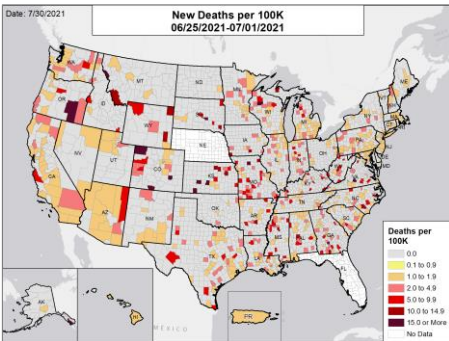
National Rank	State	National Rank	State
1	RI	27	MA
2	VT	28	WV
3	CA	29	GA
4	ND	30	CO
5	NH	31	ME
6	MI	32	NM
7	PA	33	WA
8	CT	34	MS
9	NY	35	SC
10	SD	36	UT
11	MN	37	TN
12	MD	38	TX
13	NJ	39	ID
14	DE	40	MT
15	NC	41	AZ
16	PR	42	OK
17	OH	43	WI
18	VA	44	AL
19	IL	45	KS
20	IA	46	FL
21	DC	47	MO
22	KY	48	LA
23	HI	49	WY
24	OR	50	AR
25	IN	51	NV
26	AK	--	NE

## NEW DEATHS PER 100,000 IN THE WEEK:

### ONE MONTH BEFORE

### TWO MONTHS BEFORE

### THREE MONTHS BEFORE



### DATA SOURCES

**Note:** Some dates may have incomplete data due to delays in reporting. Data may be backfilled over time, resulting in week-to-week changes.

**Deaths:** County-level data is from a CDC managed aggregate county dataset compiled from state and local health departments; therefore, the values may not match those reported directly by the state. State values are aggregated data provided by the states to the CDC. As of 6/5, Florida is no longer updating their county deaths data; therefore after 6/4 no county death data is available. As of 6/30, Nebraska is no longer updating their state dashboard and since 5/26, Nebraska was reporting by Local Health Department instead of county; therefore, after 5/25 no county case and death data is available. Puerto Rico is shown at the territory level as deaths are not reported at the municipio level. As of 3/2/2021, Ohio changed their method of reporting COVID-19 deaths and will report deaths on the day of death, not the day of report, which could result in a fluctuation in the number of deaths from recent weeks due to delayed reporting. The week one month before is from 6/25 to 7/1; the week two months before is from 5/28 to 6/3; the week three months before is from 4/30 to 5/6.

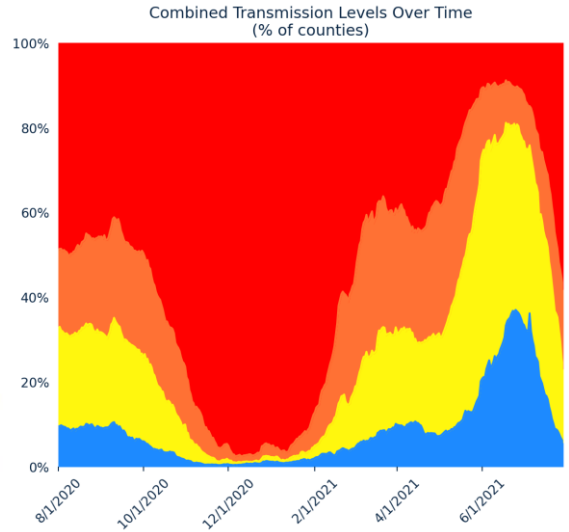
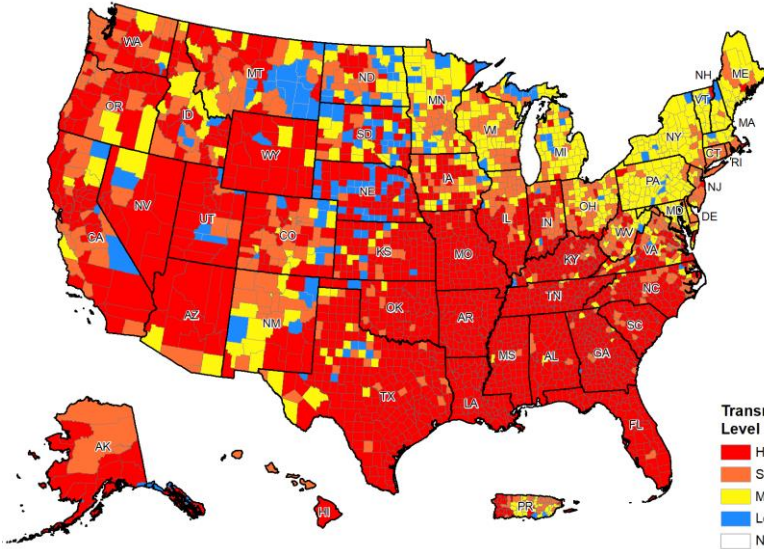
**METHODS:** Details available on last two pages of report.





# National Picture: Community Transmission

## COMMUNITY TRANSMISSION BY COUNTY



### COUNTIES BY COMMUNITY TRANSMISSION INDICATOR

CASES PER 100K	0 TO 9	10 TO 49	50 TO 99	100 +
# OF COUNTIES (CHANGE)	277 (↓161)	650 (↓434)	729 (↓45)	1564 (↑640)
% OF COUNTIES (CHANGE)	8.6% (↓5.0%)	20.2% (↓13.5%)	22.6% (↓1.4%)	48.6% (↑19.9%)
TEST POSITIVITY	0.0% TO 4.9%	5.0% TO 7.9%	8.0% TO 9.9%	10.0% +
# OF COUNTIES (CHANGE)	1031 (↓410)	499 (↑10)	282 (↑10)	1408 (↑390)
% OF COUNTIES (CHANGE)	32.0% (↓12.7%)	15.5% (↑0.3%)	8.8% (↑0.3%)	43.7% (↑12.1%)

### COUNTIES BY COMBINED TRANSMISSION LEVEL

CATEGORY	LOW TRANSMISSION BLUE	MODERATE TRANSMISSION YELLOW	SUBSTANTIAL TRANSMISSION ORANGE	HIGH TRANSMISSION RED
# OF COUNTIES (CHANGE)	185 (↓144)	560 (↓404)	605 (↑2)	1870 (↑546)
% OF COUNTIES (CHANGE)	5.7% (↓4.5%)	17.4% (↓12.5%)	18.8% (↑0.1%)	58.1% (↑17.0%)

#### DATA SOURCES

Maps and figures reflect 7-day average of data from 7/23-7/29 (cases), 7/21-7/27 (tests).

**Note:** Most recent days may have incomplete reporting.

**Cases:** County-level data is from a CDC managed aggregate county dataset compiled from state and local health departments; therefore, the values may not match those reported directly by the state. Data is through 7/29/2021. As of 6/4, Florida is only updating their county case data on Fridays, therefore values for the last week may be an underestimate. As of 6/30, Nebraska is no longer updating their state dashboard and since 5/26, Nebraska was reporting by Local Health Department instead of county; therefore, after 5/25 no county case data is available.

**Testing:** Combination of CELR (COVID-19 Electronic Lab Reporting) state health department-reported data and HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs). Data is through 7/27/2021.

**County Percentages:** Based on a denominator of 3,220 county/cc entity equivalents, including states, the District of Columbia, and Puerto Rico municipios.

**Combined Transmission Level:** If the two indicators suggest different transmission levels, the higher level is selected. Previous week transmission levels are computed based on current data. See [CDC COVID Data Tracker](#).

**METHODS:** Details available on last two pages of report.



# DATA SOURCES & METHODS

STATE PROFILE REPORT | 07.30.2021

- Some dates may have incomplete data due to delays and/or differences in state reporting. Data may be backfilled over time, resulting in week-to-week changes. It is critical that states provide as up-to-date data as possible. Figures and values may also differ from state reports due to differing methodologies.
- All population values are vintage 2019 US Census data.
- **Cases and Deaths:** County-level data is from a CDC-managed aggregate county dataset compiled from state and local health departments; therefore, the values may not match those reported directly by the state. State values are aggregated data provided by the states to the CDC. Data is as of 12:35 EDT on 07/30/2021. Cases and deaths are generally shown by date of report. Some states periodically adjust their past data with CDC to show it by case date and death date, as determined by the state. Between adjustments, new cases and deaths continue to be shown by date of report. This can potentially lead to over-estimates of the week-on-week increases in cases or deaths.
  - As of 6/4/21, Florida is only updating their county case data on Fridays, therefore values for the last week may be an underestimate. As of 6/5/21, Florida is no longer updating their county death data, therefore after 6/4 no county death data is available. As of 6/30/21, Nebraska is no longer updating their state dashboard and since 5/26, Nebraska was reporting by Local Health Department instead of county; therefore, after 5/25 no county case and death data is available. As of 3/2/2021, Ohio changed their method of reporting COVID-19 deaths and will report deaths on the day of death, not the day of report, which could result in a fluctuation in the number of deaths from recent weeks due to delayed reporting. Puerto Rico deaths are shown at the territory level as deaths are not reported at the municipio level.
  - Historical reports of cases and deaths — for which backfill dates are not available — that exceed 1% of the total new cases or deaths reported in the US that day have been excluded from state daily and weekly trends. However, these are still present in county-level data. Historical reports in the last two weeks (7/16/21 – 7/29/21) are:
    - Colorado cases: 137 on 7/16; 35 on 7/19; 173 on 7/20; 117 on 7/21; 174 on 7/22; 188 on 7/23; 16 on 7/24; 16 on 7/25; 18 on 7/26; 282 on 7/27; 316 on 7/28; and 162 on 7/29
    - Michigan deaths: 1 on 7/27
    - Mississippi deaths: 4 on 7/19; 1 on 7/20; 5 on 7/22; 4 on 7/25; 10 on 7/26; and 6 on 7/27
    - Ohio cases: 242 on 7/19
    - Texas cases: 42 on 7/16; 71 on 7/17; 45 on 7/18; 24 on 7/19; 136 on 7/20; 184 on 7/21; 283 on 7/22; 345 on 7/23; 122 on 7/24; 28 on 7/25; 36 on 7/26; 142 on 7/27; 120 on 7/28; and 229 on 7/29
- **Testing:** The data presented represent viral COVID-19 laboratory diagnostic and screening test results — not individual people — and exclude antibody and antigen tests, unless stated otherwise. The term Nucleic Acid Amplification Test (NAAT) includes RT-PCR and other testing methods, which were always included in the testing data. CELR (COVID-19 Electronic Lab Reporting) state health department-reported data are used to describe county-level viral COVID-19 NAAT result totals when information is available on patients' county of residence or healthcare providers' practice location. HHS Protect laboratory data (provided directly to Federal Government from public health labs, hospital labs, and commercial labs) are used otherwise. Because the data are deidentified, total NAATs are the number of tests performed, not the number of individuals tested. NAAT positivity rate is the number of positive tests divided by the number of tests performed and resulted. For test positivity, last week data are from 7/21 to 7/27; previous week data are from 7/14 to 7/20; the week one month before data are from 6/23 to 6/29. For number of tests, last week data are from 7/17 to 7/23; previous week data are from 7/10 to 7/16. HHS Protect data is recent as of 10:22 EDT on 07/30/2021. Testing data are inclusive of everything received and processed by the CELR system as of 19:00 EDT on 07/29/2021.
- **Hospitalizations:** Unified Hospitals Dataset in HHS Protect. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. In addition, hospitals explicitly identified by states/regions as those from which we should not expect reports were excluded from the percent reporting figure. The data presented represents raw data provided; we are working diligently with state liaisons to improve reporting consistency. Data is recent as of 10:26 EDT on 07/30/2021.
- **Hospital PPE:** Unified Hospitals Dataset in HHS Protect. This figure may differ from state data due to differences in hospital lists and reporting between federal and state systems. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. Hospitals explicitly identified by states/regions as those from which we should not expect reports were excluded from the percent reporting figure. Data is recent as of 10:20 EDT on 07/30/2021.
- **State, County, and Metro Area Community Transmission Levels**
  - **High Transmission:** Those states, CBSAs, and counties that during the last week reported 100 or more cases per 100,000 population or a lab test positivity at or above 10.0%.
  - **Substantial Transmission:** Those states, CBSAs, and counties that during the last week reported from 50 to 99 cases per 100,000 population or a lab test positivity from 8.0% to 9.9%.
  - **Moderate Transmission:** Those states, CBSAs, and counties that during the last week reported from 10 to 49 cases per 100,000 population or a lab test positivity from 5.0% to 7.9%.
  - **Low Transmission:** Those states, CBSAs, and counties that during the last week reported from 0 to 9 cases per 100,000 population or a lab test positivity from 0.0% to 4.9%.
  - If the two indicators suggest different transmission levels, the higher level is selected. Previous week transmission levels are computed based on current data. See [CDC COVID Data Tracker](#).
- **Shortages:** Unified Hospitals Dataset in HHS Protect. These data exclude psychiatric, rehabilitation, and religious non-medical hospitals. Includes hospitals currently reporting a staffing shortage. Low supply is defined as a hospital reporting they are not able to maintain a 3-day supply of N95s, face masks, gloves, gowns, or eye protection. Data is recent as of 10:20 EDT on 07/30/2021.
- **Vaccinations:** [CDC COVID Data Tracker](#). Data includes the Moderna, Pfizer BioNTech, and J&J/Janssen COVID-19 vaccines and reflects current data available as of 09:57 EDT on 07/30/2021. Data last updated 06:00 EDT on 07/30/2021. Persons who are fully vaccinated include those who have received both doses of the Moderna or Pfizer-BioNTech vaccine as well as those who have received one dose of the J&J/Janssen vaccine. Allocations are made pro rata (equal based on population) from which jurisdictions are then to order. COVID-19 vaccines available in the U.S. are authorized only for persons ≥12 years of age (Pfizer-BioNTech) or ≥18 years of age (Moderna and J&J/Janssen). Population denominators reflect the subset of the population of the corresponding age range when specified (e.g., 12+, 12-17, 18+, or 65+), otherwise the total population is used. The following states have ≤80% completeness reporting vaccinations by county, which may result in underestimates of vaccination data for counties: CO (76%), VT (74%), WV (58%), GA (54%), VA (51%), HI (0%), and TX (0%).
- **Variants:** Data from [CDC COVID Data Tracker](#). Variant proportions are based on representative CDC sequence data (NS3 + CDC-funded contract sequencing) collected over a 4-week period ending July 3, 2021 for states with at least 300 sequences. Proportions are calculated using empirical (unweighted) data, which are subject to change over time and will be updated as more data become available. Proportions of variants do not represent the total number that may be circulating in the United States and may not match cases reported by states, territories, tribes, and local officials. For states and jurisdictions not listed, CDC has insufficient genomic surveillance data for the specified time period. Data updated by 19:00 ET on 7/27. Data pulled 14:08 EDT on 07/29/2021.



# DATA SOURCES & METHODS

STATE PROFILE REPORT | 07.30.2021

Color threshold values are rounded before color classification

Metric	Dark Green	Light Green	Yellow	Orange	Light Red	Red	Dark Red	Darkest Red
New cases per 100,000 population per week	≤4	5 – 9	10 – 49	50 – 99	100 – 199	200 – 499	500 – 749	≥750
Percent change in new cases per 100,000 population	≤-26%	-25% – -11%	-10% – 0%	1% – 10%	11% – 99%	100% – 999%	≥1000%	
Diagnostic test result positivity rate	≤2.9%	3.0% – 4.9%	5.0% – 7.9%	8.0% – 9.9%	10.0% – 14.9%	15.0% – 19.9%	20.0% – 24.9%	≥25.0%
Change in test positivity	≤-2.1%	-2.0% – -0.6%	-0.5% – 0.0%	0.1% – 0.5%	0.6% – 2.0%		≥2.1%	
Total diagnostic tests resulted per 100,000 population per week	≥5000	3000 – 4999	2000 – 2999	1000 – 1999	500 – 999		≤499	
Percent change in tests per 100,000 population	≥26%	11% – 25%	1% – 10%	-10% – 0%	-25% – -11%		≤-26%	
COVID-19 deaths per 100,000 population per week	0.0		0.1 – 0.9	1.0 – 1.9	2.0 – 4.9	5.0 – 9.9	10.0 – 14.9	≥15.0
Percent change in deaths per 100,000 population	≤-26%	-25% – -11%	-10% – 0%	1% – 10%	11% – 25%		≥26%	
Confirmed and suspected new COVID-19 hospital admissions per 100 beds	≤2.0	2.1 – 5.0	5.1 – 10.0	10.1 – 15.0	15.1 – 20.0	20.1 – 25.0	≥25.1	
Confirmed new COVID-19 hospital admissions per 100 beds	≤1.0	1.1 – 3.0	3.1 – 5.0	5.1 – 10.0	10.1 – 15.0	15.1 – 20.0	≥20.1	
Change in new COVID-19 hospital admissions per 100 beds	≤-26%	-25% – -11%	-10% – 0%	1% – 10%	11% – 25%		≥26%	
Percent of hospitals with supply/staff shortages	≤9%		10% – 19%	20% – 29%	30% – 39%		≥40%	
Change in percent of hospitals with supply/staff shortages	≤-10%	-9% – -5%	-4% – 0%	1% – 4%	5% – 9%		≥10%	
Percent of Population Fully Vaccinated (State Level)	0.0 – 39.9%		40.0 – 44.9%	45.0 – 49.9%	50.0 – 54.9%		≥55.0%	