



NEW YORK STATE SENATOR  
John J. Flanagan

## Senate Republicans Call For Independent Investigation Of State Response To Nursing Home Deaths And Immediate Policy Change

JOHN J. FLANAGAN May 6, 2020

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Members of the New York State Senate Republican Conference today called for an independent investigation of the state's response to the tragedy unfolding in state regulated nursing homes and a change in state policy, **as reporting of the coronavirus death toll within these facilities climbed by 1,700.**

Governor Cuomo and his Department of Health have mandated that nursing homes admit COVID-19 positive patients into their facilities, a directive that has imported the virus into places that house New York's most vulnerable.

In addition to an independent investigation, Senate Republicans called for an immediate change in policy to create regionally based specialty long-term care facilities for COVID-19 positive nursing home residents.

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*“Our nursing homes, their staff, and their residents, who are really a family, are on the absolute front lines of this pandemic, and they need our strong and enduring support. We know that allowing COVID into a nursing home is an invitation for it to spread, and we need to make sure that we take necessary steps to protect residents. We also believe that an independent investigation into the state’s actions is warranted to make sure that the tragic deaths at these nursing homes never occur again,” said Senate Republican Leader John J. Flanagan.*

The state, under fire for nursing home deaths, launched an investigation to be conducted by the state’s Attorney General and the Department of Health even though the Department of Health is directly involved in creating directives.

Nursing homes throughout the state have continually faced budget cuts, which has resulted in staffing issues for years, and the COVID-19 outbreak has exacerbated an already tenuous situation. Now staff must worry about endangering their own lives and those of the residents due to the lack of help from the state.

“When your loved one enters a nursing home, you expect them to be safe — safer than they are even in their own homes. Many of these facilities are going above and beyond to protect residents while the state’s response to the crisis in nursing homes has been wholly inadequate. Instead of scapegoating, or threatening blanket receivership, the state needs to step up to the plate, and do all that it can to support these facilities to ensure that residents are receiving the highest quality of care. Weeks ago, I released a plan that would create an independent council to enforce transparency in facilities and concentrate COVID-19 patients in separate specialty care centers. The state needs to take these proposals seriously and act immediately to protect residents and give families peace of mind,” said Senator Sue Serino, Ranking Member of the Senate’s Aging Committee, [who issued a plan to protect nursing home residents](#).

“An independent investigation is the only way to ensure transparency and find out what happened in these nursing homes and why. Residents and families deserve answers that can only be found through an investigation by impartial experts. It is inappropriate for the Department of Health to lead a probe into its own procedures,” said Senator Patrick Gallivan, Ranking Member of the Senate’s Health Committee.

“Nursing homes have been on the front lines of caring for New York’s vulnerable patients and we knew since the first outbreak in the state of Washington that coronavirus spreads like wildfire among the elderly. Yet, the state refuses to listen to nursing homes, families, and elected officials calling for coronavirus patients to be treated at separate facilities, or for these homes to administer the same experimental COVID-19 drugs as hospitals. It is unconscionable and they cannot investigate their own actions,” said Senate Republican Deputy Leader Joseph Griffo.

“From the beginning of this pandemic, the Governor and Commissioner of Health have acknowledged nursing homes as Ground Zero for COVID-19. Yet, little has been done to protect the vulnerable residents living in these facilities. It is imperative that an independent investigation is conducted and the state be held responsible for their lack of actions. In the meantime, as the state looks to make budget adjustments, it is absolutely critical that these facilities receive adequate reimbursement rates and fair funding,” said Senator Pam Helming.