



NEW YORK STATE SENATOR

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SERINO CALLS FOR IMMEDIATE STATE SUPPORT FOR NURSING HOMES, ASSISTED LIVING AND ADULT CARE FACILITIES

SUSAN SERINO May 13, 2020

| ISSUE: **NURSING HOMES, COVID-19, ASSISTED LIVING FACILITIES, ADULT DAY FACILITIES**



HYDE PARK, NY—By 5:00pm today, nursing homes, assisted living and adult care facilities across the state are required to submit a plan to the Department of Health in order to meet a new requirement that mandates they test staff twice each week for COVID-19. Despite the tight turnaround, these facilities have been left high and dry when it comes to guidance on how to satisfy the new order, putting their operating licenses in jeopardy and impacting

their ability to focus their energy on caring for residents. Senator Sue Serino today is calling on the state to provide immediate support to these facilities to ensure they have the resources they need to effectively protect and serve their residents.

Senator Sue Serino, said, *“Since day one, these facilities, which care for our most vulnerable, have been an afterthought to the state. Now, as the state scrambles to right its wrongs, instead of providing the necessary support these facilities need to protect residents, it decides instead to issue onerous mandates and punitive penalties, with no clear guidance on how they are expected to meet the directives. These facilities are on the frontlines of this pandemic. Instead of scapegoating, the state needs to step up and provide them with the same support it has given to other medical facilities during this time and ensure that they have access to staff and other resources they need to best protect the health of their residents.”*

Specifically, Serino—who is the Ranking Member of the NYS Senate Aging Committee—is calling on the state to create a long-term care specific staffing pool, provide the necessary test kits directly to the facilities who have been scrambling to access them, and utilize the National Guard to assist in administering tests and cleansing facilities to provide critical relief.

On Sunday, under fire for the high rate of deaths in these facilities, the State announced a new Executive Order that prohibits a hospital from discharging a patient to a nursing home until they test negative for COVID-19—a long-overdue move that will help protect residents in facilities across the state. However, the Order also requires employees of all nursing homes and adult care facilities, including all adult homes, enriched housing programs and assisted living residences to receive a diagnostic test for COVID-19 twice each week and requires the facility to report any positive results to the Department of Health within 24 hours. If an employee refuses to be tested, their health assessment will be considered out of date, prohibiting them from working until they agree to be tested.

These facilities throughout the state have continually faced budget cuts, resulting in staffing shortages for years, and the COVID-19 outbreak has exacerbated the already tenuous

situation.

Serino continued saying, “We can all agree that testing in these facilities needs to be a top priority, but once again, the state has failed to adequately address the real need during this time. Increased testing will undoubtedly place even more strain on the staff on the ground in these facilities and the state does not have a backup plan to assist, which will put the safety of residents in jeopardy. Based on feedback I’ve received, NY’s Health Professional Portal—the tool created to help medical facilities supplement staff—is woefully lacking when it comes to staff with long-term care experience. Helping these facilities access certified staff during this time needs to be a top priority.”

Throughout the pandemic, neighboring states like **New Jersey** and **Massachusetts** have worked hand-in-hand with the National Guard to help provide key support in administering tests, cleaning and disinfecting facilities, and planning logistics that include securing and managing PPE. Serino is urging New York to follow their lead and allow the National Guard to partner with hard-hit facilities to ensure they have access to resources they need and support in areas that could ensure the facilities’ teams can focus all of their energy on caring for residents.

Serino, who weeks ago released a **comprehensive plan** to better protect residents of these facilities, contends that the lack of support the state is providing to meet this new directive is one of many reasons she is **leading the call** for an independent investigation of the state’s response to nursing homes during this pandemic.