



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara, colleagues call on Cuomo to take responsibility for COVID-19 nursing home crisis: Local homes and caregivers are 'overburdened, overwhelmed, and under pressure'

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May 20, 2020

ISSUE:

- [Coronavirus; COVID-19; Seniors; Nursing Homes; Adult Care Facilities](#)



HELPING NURSING HOMES PROTECT OUR SENIORS

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Elmira, N.Y., May 20—State Senator Tom O'Mara (R,C,I-Big Flats) and members of the Senate Republican Conference today stepped up their ongoing calls for the Cuomo administration to take full responsibility for the COVID-19 nursing home crisis.

O'Mara said, "Governor Cuomo can't just issue another directive or another unfunded state mandate out of Albany and leave this nursing home crisis to be addressed at the local level. Not now, when we have already lost thousands of seniors. Not now, when this virus remains an extreme danger to the elderly in nursing homes. Not now, when our localities, local care facilities, and local caregivers on the front lines are already overburdened, overwhelmed, and under pressure. It is long past time for Governor Cuomo to order his administration to take full responsibility for this crisis and deliver the resources necessary to protect this vulnerable population."

O'Mara and legislative colleagues have continued to pressure the Cuomo administration to play a larger and more direct role to protect nursing home residents and staff from COVID-19.

The governor has come under increased scrutiny for the COVID-19 crisis in nursing homes where, according to recent state reporting, deaths total more than 5,000.

GOP senators said that state-regulated nursing homes and other congregate care facilities throughout New York have for years continually faced budget cuts that resulted in staffing shortages, and the COVID-19 outbreak has exacerbated an already tenuous situation.

O'Mara has worked closely with local leaders to address nursing home "hot spots," particularly in Steuben County, and has shared their frustration with the Cuomo administration's response.

"The front lines of this nursing home crisis in Steuben County and other hot spots throughout New York have led to important shifts in state policies, but it has also highlighted the frustration at the local level with the response of the Cuomo administration and overall state policies," said O'Mara. "We repeatedly called for aggressive and decisive actions by the state Health Department to test, isolate, and prevent spread, but kept running into the roadblocks of existing state policies and directives — and now that includes new, costly state-mandated testing that our rural facilities simply cannot afford or administer. We need the Cuomo administration to take full responsibility for this crisis and provide everything necessary to fully protect our most vulnerable populations."

Until recently, state policy allowed COVID-positive nursing home employees to continue reporting to work as long as they did not display symptoms. Another now-revised state Department of Health (DOH) directive forced nursing homes to accept COVID-positive patients. Questions have also been raised over whether nursing home staffs were provided adequate personal protective equipment in the early stages of the COVID-19 outbreak.

Most recently, Cuomo has ordered twice weekly testing requirements on nursing homes, assisted living, and adult day care facility staff across the state without providing any funding or resources to facilitate the requirements.

Some nursing home operators say they can't comply with the latest state directive to test employees for COVID-19 twice a week. Facilities would have to pay between \$75 to \$150 per test. According to some estimates, the cost for a nursing home in a rural upstate area to comply with the state's testing mandate could total as much as \$90,000 per week. And if the employee were to quarantine awaiting results, as is usually required, they would only be able to work three or four days a week. Nursing homes have also reported that state labs currently lack the capacity to process twice

weekly tests, and many expressed health concerns for staffers over the repeated testing.

The state provided 320,000 testing kits this week to nursing homes, but that does not cover the two tests per week requirement for the entire workforce across the state. It remains unclear if the state will continue distribution at this scale.

O'Mara and his Senate GOP colleagues are calling on the Cuomo administration to immediately:

- > Provide all necessary test kits directly to the facilities that have been scrambling to access them;
- > Utilize the National Guard to assist in administering tests and cleansing facilities to provide critical relief;
- > Use short swab or saliva tests;
- > Provide PPE to nursing homes, long-term care and adult day care facilities;
- > Create a long-term care specific staffing pool; and
- > Create regionally based long-term care facilities for COVID-positive nursing home residents.

O'Mara has also joined other lawmakers, Republicans and Democrats, to call for an independent investigation into the COVID-19 nursing home crisis.

While an investigation has been launched by the state's Attorney General and the DOH, O'Mara and other lawmakers question the independence of that investigation since DOH is directly involved in creating the directives being questioned.