SERINO AND COLLEAGUES URGE LEGISLATURE TO LEVERAGE SUBPOENA POWER TO GET ANSWERS ON NURSING HOMES DEATHS

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ALBANY, NY – NYS Senate Republican Leader Ortt and members of the Senate Republican Conference today demanded that the Senate Majority leverage its subpoena power to compel Governor Andrew Cuomo, Commissioner of Health Dr. Howard Zucker, and any state official with knowledge of the March 25 directive that sent COVID-19 positive patients into nursing homes to testify at August hearings on coronavirus in "residential health care facilities."

Democrats "inviting" administration officials is inadequate.

After months of silence and inaction, Democrats finally heeded the call to hold hearings, but have yet to harness the Senate's full investigative powers to deliver answers to thousands of grieving families who lost loved ones at nursing homes, assisted living, and long term care facilities.

"Families who lost loved ones in nursing homes deserve accountability and answers about what happened during the pandemic, and they do not deserve daily blame-game or a self-serving Health Department report. Democrats must use the Senate's subpoena power to compel testimony and documents for bipartisan inspection and not simply extend a polite 'invitation' to the Administration to continue their shameful behavior. We must see documents, emails, and fully understand why Governor Cuomo considered our most vulnerable an afterthought," **said Senate Republican Leader Rob Ortt.**

The virus has hit New York's nursing homes disproportionately hard, with deaths in the facilities accounting for roughly one third of overall coronavirus-related deaths in the state. A bombshell report recently showed that the state may be severely underreporting the number of deaths with researchers arguing that the actual number could be roughly doubled, from about 6,200 to 10,000.

"My colleagues and I have been calling for an independent investigation into the state's response to the nursing home crisis for months. While I am glad our calls are finally being heeded, if state officials fail to appear to testify, the hearing would be nothing more than a sham. Thousands of vulnerable New Yorkers have died in these facilities since the start of the COVID-19 pandemic and their loved ones deserve answers. We need to set politics aside, harness the full power of the Senate to get those answers, and ensure that the state is taking every possible step to protect these residents and support the facilities who care for them," **said Senator Sue Serino, Ranking Member of the Senate's Aging Committee.**

The state has yet to take responsibility for the problems plaguing these facilities throughout the pandemic, and has instead blamed guidance by the CDC—a claim Politifact has labeled 'mostly false'—or facility staff for bringing the virus into these vulnerable facilities. Their Department of Health most recently put out its own in-house study to place blame on family

members and staff for infecting residents.

In addition, the state has yet to acknowledge the fact that nursing homes throughout New York have continually faced budget cuts, which have resulted in persistent staffing shortages that jeopardize quality of care, a problem only exasperated by the COVID-19 outbreak. Instead of providing additional support to these facilities during this critical time, additional cuts were tucked into this year's state budget.

On May 6, Senate Republican lawmakers called for an independent investigation of the state's actions and were the first in the Legislature to call for hearings on May 7. On May 11, Senator Ortt sent a letter to the Chairs of both the Health and Investigations Committee requesting they hold a hearing jointly on these issues, as did Senator Pat Gallivan.

The Senate Majority did not prioritize the hearing on "residential health care facilities," and scheduled it for August. Democrats, however, have scheduled a hearing on redistricting in 2022 this month.

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