



NEW YORK STATE SENATOR

James Tedisco

## Tedisco, Jordan, Walsh Launch New Statewide Petition Drive for Independent Investigation of Nursing Home Deaths

SENATOR JIM TEDISCO September 16, 2020

| ISSUE: **NURSING HOMES**



Have you noticed the weather's getting colder, the leaves are falling and fall is just around the corner? We've learned a lot about COVID-19, but we don't know everything about a virus that's attacked our most vulnerable population and taken thousands of lives.

It's time for the state Legislature to act and subpoena the state Health Department to get the real number of COVID-19 nursing homes deaths.

That's the message Senator Jim Tedisco (R,C,I-Glenville), Senator Daphne Jordan (R,C,I-Halfmoon) and Assemblywoman Mary Beth Walsh (R,C,I-Ballston) are sending today at the state Capitol with the launch of a [new statewide online petition drive](#) to urge the Legislative Majorities to bring forth bi-partisan legislation for an independent investigation to subpoena the Administration and state Health Department to get the real numbers of New Yorkers who died from COVID-19 in state-regulated nursing homes.

[Click here to sign the petition.](#)

Senator Tedisco and Democratic Majority Assemblyman Ron Kim (D-Queens) have authored legislation ([S.8756/A.10857](#)), that is also sponsored by Senator Jordan and Assemblywoman Walsh and legislators from both parties, which would establish an independent, unbiased and bi-partisan investigation with subpoena power to perform a top-to-bottom review of what happened in the state's nursing homes to get answers and provide a measure of closure for the families of those who lost their lives and help prepare for a second wave of the pandemic.

"The Governor and state Health Commissioner Zucker kept saying during the peak of the COVID-19 crisis that we should 'follow the science.' To follow the science, we need unbiased facts and figures about what happened, regardless of whether that data could be potentially embarrassing to the Administration, that led to the deaths of thousands in state-regulated nursing homes from a virus that the Governor said spread like 'fire through dried grass,'" said Senator Jim Tedisco. "We've had hearings and my legislative colleagues and I have repeatedly asked Commissioner Zucker for the real number of New Yorkers who lost their lives in our nursing homes and we've gotten no answers. We're launching this petition drive to harness the power of the citizenry to pressure the Majorities to bring forward bi-partisan legislation for an independent investigation to subpoena the Health Department so we can provide a measure of closure to the loved ones of those who died and prevent this from happening

again.”

“The fight against COVID-19 requires real data to ensure the best possible, most informed policy decisions that can help protect vulnerable New Yorkers. That’s why it’s so important that we have an independent investigation to obtain the true numbers of the tragic nursing home deaths related to COVID. This data is crucial in providing policymakers answers and insights regarding the tragedy that took place where over 6,400 senior citizens, possible many more, lost their lives. This effort isn’t about the Albany blame game or political finger pointing. It’s about getting the best possible information so New York State is better prepared, and we can better protect, our most vulnerable from another COVID outbreak. I’m proud to support this non-partisan search for answers and the truth, as so many grieving families, my colleagues, and I have demanded. Our petition should receive strong, bi-partisan support as it will bring us another step closer to the answers,” said Senator Daphne Jordan.

“It is an honor to once again join my colleagues to bring attention to the very important issue of the impact that COVID-19 has had on nursing homes and adult care facilities throughout New York State. Despite what the Governor and Department of Health Commissioner think, this issue is not going away until we receive the action and answers that families throughout the state deserve,” said Assemblywoman Mary Beth Walsh. “Today, we call on members of the Assembly and Senate to join us in signing on to a petition to encourage movement on our legislation that would create an independent, bi-partisan commission with subpoena powers and ask that the accurate number of nursing home deaths be disclosed once and for all.”

“An independent, bi-partisan investigation with subpoena power is the only way we’re going to be able to find the real truth about how many of our loved ones died of COVID-19 in nursing homes,” said Janice Dean, Fox News Senior Meteorologist, who lost both her in-laws to COVID-19 while residing in state-regulated elder care facilities.

## **What the Majority Legislators Said on Getting the Real Nursing Home Numbers:**

On August 3, 2020, the Senate and Assembly held a Joint Hearing of the Health, Oversight and Aging Committees. Here's what three of the Democratic Chairs of those Committees said in their questioning of Commissioner Zucker to find out how many COVID-19 positive patients were transferred from a nursing home and died in a hospital:

- *"It seems to me that the definition that you are insisting on keeping on the books is one that no other state utilizes and it makes you look better than what y'all did, that's a problem, bro," said State Senator Gustavo Rivera, who represents the Bronx.*

- *"It perplexes me that an administration that prides itself on data driven policies" does not have this information, State Senator James Skoufis said.*

- *"Assemblyman Richard Gottfried, chair of the Health Committee, also pressed Dr. Zucker, asking if the state knows the number of residents who were transferred to hospitals and recovered, how could the state not know how many of these residents died?"*

*"Dr. Zucker repeatedly dodged the question, saying the state does not have accurate data of nursing home resident deaths, whether in a home or in a hospital, because they are going through and making sure deaths are not counted twice." (Source: Spectrum News)*

At the August 19<sup>th</sup> Tedisco/Kim Press Conference in Albany, Assemblyman Ron Kim said:

- *"We've been given some facts by the governor, but in order to get the truth we need the rest, and that has not been presented to us. How can we possibly know what caused the spread? What was the root of the problem if we only have a quarter of the sample size or people who were infected?" Assemblyman Ron Kim said.*





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#### RELATED LEGISLATION

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## 2019-S8756

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- Introduced
- - In Committee Assembly
  - In Committee Senate

- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate

- Delivered to Governor

- Signed By Governor

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Establishes a temporary state commission to study and investigate the effects of the COVID-19 pandemic response on deaths in nursing homes; and providing for the repeal of such provisions upon expiration thereof

July 14, 2020

In Senate Committee [Rules](#)

Sponsored by [James Tedisco](#)

Do you support this bill?