



NEW YORK STATE SENATOR

Susan Serino

SENATORS SERINO & TEDISCO RENEW CALL FOR SENATE MAJORITY CHAIRS TO SUBPOENA DOH ON COVID-19 NURSING HOME DEATHS

SUSAN SERINO January 28, 2021

| ISSUE: **CORONAVIRUS; COVID-19; SENIORS; NURSING HOMES; ADULT CARE FACILITIES**



ALBANY, NY— In response to news that lawmakers will no longer have the opportunity to question Department of Health officials at a State Budget hearing next week, Senators Sue Serino and Jim Tedisco today are once again calling on NYS Senate Majority Committee Chairs to use their subpoena power to compel the state to reveal the actual number of New York's COVID-19 nursing home deaths.

In a letter to the Chair of the Senate Investigations and Government Operations Committee, the Senators argue that these members have clear authority in state law to issue a subpoena to compel the state to reveal this data.

“Members of the Legislature have had months to have whatever conversations are necessary for them to take steps to issue a subpoena and compel the state to provide this data,” said Senator Sue Serino.

“Through their inaction, the Legislature continues to prove that they are not making this issue the priority that it needs to be. It could not be clearer that the state has absolutely no intention of freely releasing data that would show the real number of New Yorkers who died from COVID-19 in our nursing homes. Empty threats are not enough, it is time for our colleagues who have the ability to issue a subpoena to do the right thing and help us get the answers New Yorkers deserve.”

“I appreciate Sen. Skoufis’s suggestion and veiled threat that he may have to use subpoena power after six months of obfuscation from the state health commissioner. It’s better late than never. But if the Commissioner fails to give that data and if the Chairman and the Majority continue to provide cover for Cuomo, then the only way forward is to bring in a bi-partisan way legislation (S.2067/A.3162) I am sponsoring with Democratic Assemblyman Ron Kim, Senator Sue Serino and our colleagues for an independent, bi-partisan state commission with subpoena power to fully investigate these nursing home deaths. Enough stalling. We need to get the facts so we can provide a measure of closure for the families who lost their loved ones and help prevent this from happening again,” said Senator Jim Tedisco.

It has been nearly six months since the August 3rd Legislative hearing on the topic, during which the NYS Health Commissioner appeared and promised to release this critically important data.

To date, the state has only released the number of New Yorkers who passed as a result of COVID if they did so at their nursing home and has failed to release the number of New Yorkers who contracted COVID-19 in a nursing home, but later passed in a hospital. Public

health officials argue that as a result, New York's actual death toll in these facilities could be over double what is being publically reported.

Today's letter is a follow-up to one [sent by Senators Serino and Tedisco](#) in September 2020 when it became clear that the Department of Health would not provide the promised data.

The upcoming budget hearing at which the NYS Health Commissioner was expected to appear was originally scheduled for next Wednesday, February 3rd. It has now been delayed until Thursday, February 25th.

[A full copy of today's letter can be viewed by clicking here.](#)