



NEW YORK STATE SENATOR

James Tedisco

## SERINO & TEDISCO: EMPIRE CENTER ANALYSIS CEMENTS OUR WORST FEARS

SENATOR JIM TEDISCO February 19, 2021



ALBANY, NY— With news breaking that an independent analysis has confirmed the March 25<sup>th</sup> order that sent COVID positive patients into vulnerable nursing homes is associated with a statistically significant increase in resident deaths, Senators Sue Serino and Jim Tedisco today are once again demanding a top down, independent investigation in the state's handling of this crisis and an immediate revocation of the Governor's emergency powers.

The report, published by the nonpartisan Empire Center for Public Policy, found that the admission of any number of new COVID-positive patients into these vulnerable facilities was associated with an average of 4.2 additional deaths per facility. According to a press release by the Empire Center, its researchers Bill Hammond and Ian Kingsbury also found that the impact was greater on upstate facilities where they point out upstate “facilities that admitted at least one positive patient during this period accounted for 82 percent of coronavirus deaths among nursing home residents, even though they had only 32 percent of the residents.”

*“Numbers don’t lie, and this report unfortunately cements our worst fears, that the March 25<sup>th</sup> order is associated with a statistically significant increase in resident deaths,” said Senator Sue Serino, Ranking Member of the State Senate’s Aging Committee. “I am especially disturbed to see the impact the order had on upstate facilities, given the fact that the Health Commissioner refused to appear at the hearing that was held specifically to examine the impact of COVID-19 on nursing homes upstate on August 10<sup>th</sup>. For lawmakers who have consistently enabled the Administration—dragging their feet on backing an independent investigation, refusing to issue subpoenas, turning a blind eye to the stonewalling of information—this data should erase any lingering doubts. Now is the time to use every tool available to launch an immediate, independent investigation to get answers for these families and ensure none of these mistakes are ever repeated.”*

*“Governor Cuomo has done something that is incredibly hard to do: unite progressive Democrats and Conservative Republicans together in outrage over his cover-up of the deaths of 15,000 New Yorkers in our nursing homes. This is a damning report by the Empire Center on the data that we finally got released on the fact that Cuomo’s March 25<sup>th</sup> executive order needlessly cost the lives of many New Yorkers – one of the worst disasters in the history of New York State in terms of loss of life. It’s now becoming clear that the Cuomo Cover-up was to hide the Governor and his Administration’s culpability in these deaths. The delay of this data may have cost more lives and stifled our ability to prevent something like this from happening again. When the legislature reconvenes on Monday, we need to fully repeal the Governor’s emergency powers and if the Majority does not have the guts to initiate an internal investigation with their own subpoenas, then we need to pass my bi-partisan legislation with Senator Sue Serino, Assemblyman Ron Kim, and many of our colleagues on both sides of the aisle for an independent investigation with subpoena power into the Cuomo Administration’s actions related to these nursing home deaths,” said Senator Jim Tedisco.*

The Empire Center's news release indicates that while the March 25<sup>th</sup> memo was not the sole or prime cause of the heavy death toll in these facilities, their findings contradict a central conclusion of the report released on July 6<sup>th</sup> by the State Health Department which claimed in part that "Admission policies were not a significant factor in nursing home fatalities" and that the data did not show a 'consistent' relationship between admission to these facilities and deaths.

Senators Serino and Tedisco, along with a number of their colleagues, have been calling for an independent investigation **for months** in an effort to better protect vulnerable residents and get answers for their loved ones. The pair wrote **multiple letters** to the Chairs of the Senate Committees on Health, Aging, and Investigations and Government Operations, urging them to use their subpoena power to launch an investigation. To date, each letter has gone unanswered, and Senate Committee Chairs Rachel May and James Skoufis have even gone so far as to block motions to issue subpoenas and launch an investigation into the matter that were brought before their respective committees for consideration.