



NEW YORK STATE SENATOR

James Tedisco

SENATORS MARTUCCI, PALUMBO and TEDISCO INTRODUCE LEGISLATION TO REPEAL DEADLY OPWDD ORDER

SENATOR JIM TEDISCO March 23, 2021

Senators Mike Martucci and Anthony Palumbo introduced legislation today to end last year's April 10th directive from the New York State Office for People with Developmental Disabilities (OPWDD) requiring group homes to admit or readmit COVID positive residents. To date, that order, which has not been rescinded, has likely contributed to the infection of more than 6900 individuals and 548 deaths. Martucci and Palumbo were joined in this effort by Republican Leader Robert Ortt, Senator Jim Tedisco, Senator Fred Akshar and members of the Senate Republican Conference.

The bill language is simple, straightforward, and clear:

“Notwithstanding any law, rule, regulation or guidance to the contrary, no OPWDD group home or facility shall knowingly allow a COVID positive resident to enter or reenter that facility as a temporary or permanent resident absent a negative test for COVID-19.

This Act shall take effect immediately”

“It is unconscionable that Governor Cuomo and OPWDD have not rescinded this order nearly a year later. This legislation is urgently needed because it will save lives and protect some of our most vulnerable citizens. I urge the Senate Majority to pass this bill immediately. There isn't a moment to waste,” said Senator Mike Martucci, ranking member

of the Senate Disabilities Committee.

“According to OPWDD’s own records, over 100 group home residents have died from COVID since the fall. How many more of New York’s most vulnerable residents need to succumb to COVID before this directive is rescinded? I urge my colleagues on both sides of the aisle to join us and take immediate action to end this disastrous policy and improve the health and safety conditions for group home residents and the men and women who care for them,” said Senator Anthony Palumbo, member of the Senate Mental Health Committee.

“It’s outrageous that the Cuomo Administration and OPWDD have not revoked their executive order placing COVID-positive New Yorkers with intellectual and developmental disabilities into group homes, which may have contributed to the deaths of about 100 residents since Fall 2020. I’m joining with my Senate Republican colleagues today to introduce new legislation that I hope will be taken up by the Majority expeditiously to compel the Cuomo Administration to repeal this deadly order since the Governor and his staff do not have the common sense to do it themselves,” said Senator Jim Tedisco, ranking member of the Senate Mental Health Committee.

“Why would the Cuomo administration hastily undo their dangerous executive order that quite possibly led to thousands of nursing home deaths, yet leave an almost identical policy in place in group homes for individuals with disabilities for nearly a year? It’s callous, wrong, and must be undone immediately. New York’s most vulnerable individuals and their families deserve the answers, attention and immediate action from state government,” said Senator Fred Akshar, member of the Senate Disabilities Committee.

The legislation ([S.5922](#)) has been referred to the Senate Disabilities Committee. Senators Martucci, Palumbo, and their colleagues intend to push for its passage at the next available opportunity.