



NEW YORK STATE SENATOR

James Tedisco

## Tedisco on Bombshell New York Times Story “Cuomo Aides Spent Months Hiding Nursing Home Death Toll”

SENATOR JIM TEDISCO April 28, 2021



The number of nursing home residents who died in the pandemic has been a particularly sensitive question for the Cuomo administration. Pool photo by Shannon Stapleton

### *Statement from Senator Jim Tedisco (R,C-Glenville)*

“Enough is enough! For close to a year, the Cuomo Administration denied its March 25<sup>th</sup> Executive Order had any substantial impact in spreading the virus in our nursing homes as to what the Governor defined as a wild fire through dry grass.”

“We shouldn’t have to depend on the journalists from the *New York Times* for the Legislature as an equal branch of government to fulfill its oversight role of the Governor and Executive

Branch and investigate the deaths of thousands of nursing home residents during the pandemic.”

“No thanks to the Senate and Assembly Majority Leadership and the Chairs of the Investigations, Health, and Aging Committees who have failed to issue one subpoena to date on the nursing home issue, we now know that the Governor and his staff conspired to cover this data up because it didn’t fit with the false narrative in his book that he wasn’t ‘Andrew Cuomo: The Covid Slayer’ but actually ‘Andrew Cuomo: The Covid Purveyor.’”

“Make no mistake, the Legislative Majorities and the Chairs of the Investigations, Health and Aging Committees must share in the culpability for failing to do their jobs and investigate the Cuomo Administration’s handling of one of the worst disasters in American history.”

“Just calling a hearing and bringing the Health Commissioner to give us a bunch of non-answers is not an investigation, it’s an acquiescence to the Fourth Estate to do the legislature’s job.”

“At what point will the Majority do its job and stop being an enabler for this clearly corrupt and compromised governor and subpoena his administration to get the truth? The Majority Chairs should issue subpoenas now and launch a top-to-bottom forensic investigation of the nursing home deaths. If not now, when?”

### **Background:**

The Governor’s March 25<sup>th</sup> executive order was not reversed until May 10<sup>th</sup>. For months, Senator Tedisco and his colleagues in the legislature were continually stonewalled by the Governor, state Health Commissioner Dr. Howard Zucker and the state Department of Health (DOH) from receiving the full count of coronavirus deaths among nursing home residents.

Senator Tedisco is sponsoring legislation with Majority Democratic Assemblyman Ron Kim (S.2067/A.3162) for an independent, bi-partisan state commission with subpoena power to fully investigate the nursing home deaths to bring closure for the families of the loved ones who lost their lives and learn what happened so we can be prepared for a future pandemic.

In September, Tedisco filed an amicus brief to the Empire Center for Public Policy's lawsuit against the Cuomo Administration for its refusal to release the records. It wasn't until the Attorney General issued a scathing report last month pulling back the veil of secrecy from the Cuomo Administration, finding there was a 50 percent undercount of the total number of those who got the contagion in a nursing home and died there and those who got it and died in a hospital.

After the Attorney General's bombshell report was released, Justice Kimberly O'Connor made a judgment on the Empire Center's lawsuit saying the Cuomo Administration violated the open government law and ordered the full nursing home data be publicly released. The Governor and his staff are now the subject of a criminal investigation into the cover-up by the FBI and U.S. Attorney's Office in Brooklyn.

Tedisco also is sponsoring legislation (S.5752) to create a criminal penalty for violating New York's open government and Freedom of Information Law.