



NEW YORK STATE SENATOR

Susan Serino

SENATE AGING COMMITTEE REFUSES TO HOLD CUOMO ADMINISTRATION ACCOUNTABLE FOR NURSING HOME DEATHS

SUSAN SERINO May 11, 2021

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ALBANY, NY— In an effort to launch a long sought after bipartisan investigation into the state's handling of the COVID-19 crisis in New York's nursing homes, State Senators Sue Serino and George Borrello once again brought a motion before the Aging Committee to subpoena NYS Department of Health Commissioner Howard Zucker. Specifically, the motion would have required the Commissioner not only to testify before the Committee, but

to provide a full recording of, and any records relating to, the February 10th secret meeting held between the Governor's top Administration officials and members of the Legislature's Supermajority.

Once again, the motion was rejected by Senate Aging Committee Chair Rachel May who ruled it "out of order," despite compliance with all procedural protocols by the lawmakers and despite the Committee's stated focus on long-term care.

During the Committee meeting, the Senators also pointed out that it has been over two months since the Chair of the Senate Investigations Committee **declared his support for partnering with the Aging Committee and the Health Committee** to hold another hearing on the topic and to "exercise the Senate investigation committee's oversight authority," yet no substantive action has been taken to date.

"Despite all the evidence of wrongdoing on the part of the Cuomo Administration, the Legislature's Supermajority refuses to take even the most basic steps to hold them accountable for the withholding of data concerning COVID-19 nursing home deaths" said Senator Serino, Ranking Member of the Aging Committee. "It is painfully clear that politics is at play as the Legislature's Supermajority works overtime to ignore the cover-up and proceeds as though it's 'business as usual' in the Capitol. While the Supermajority may feel a need to 'defend' an Administration that appears to be covering something up, I am focused on doing what's right for vulnerable residents, dedicated caregivers and loved ones. We will not stop pushing for the transparency and accountability they've deserved since day one."

"It is disappointing that the Democrats' condemnations and calls for the Governor to resign in March in the face of evidence that he and his staff deliberately altered data on COVID-19 nursing home deaths, appear now to be a distant memory," said Senator Borrello. "Their refusal to use the tools at their disposal to uncover the truth speaks volumes about where their priorities and loyalties lie. While they are apparently ready to 'move on,' for the families who lost loved ones and New Yorkers who believe in transparency and integrity, we cannot close the book on this chapter until we have a full account of what happened. This is where that work should be done – here at the committee level, not in front of TV cameras. Sadly, the Majority has again chosen to abdicate that responsibility."

In February, Senator Serino filed an official FOIL request for the full recording of the secret meeting. Just last week, she announced that her request was denied despite the public release of a 'rush transcript' of the event. Serino has argued that the denial implies that the meeting recording must differ in a way substantial enough to set it apart from the transcript that was readily released, and has appealed the denial in the interest of pursuing full government transparency on the issue of COVID-19 nursing home deaths.

According to the transcript of the February meeting, Senator Rachel May is quoted as saying, *"the issue for me, the biggest of all, is feeling like I needed to defend or at least not attack an administration that was appearing to be covering something up."* When pressed during today's Committee meeting whether that need to defend the Administration is preventing the advancement of today's motion, Senator May said on the record that having participated in the February meeting, she believes the transcript that was released was "quite accurate."

Senator Serino continued saying, "If that is true, then why not be fully transparent and push for the release of the recording and any additional records related to the meeting?"