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RULES
BUDGET & REVENUE

May 20, 2020

Howard A. Zucker, MD, JD
Commissioner, NYS Department of Health
Ann Marie T. Sullivan, MD
Commissioner, NYS Office of Mental Health
Theodore Kastner, MD
Commissioner, NYS Office for People with Disabilities

Dear Commissioners Zucker, Sullivan, and Kastner:

The COVID-19 virus has taken a toll on all New Yorkers, and particularly on vulnerable populations, including individuals with developmental disabilities and serious mental illness. These populations are often overlooked, yet we cannot afford to do so at a time when it is critical to continue reducing infection and hospitalization rates, and based on fatality rates we are seeing in other congregate care settings, nursing homes in particular. We must do more to ensure the safety of these vulnerable populations and the people who care for them.

Residents and staff in New York State Office of Mental Health (OMH) and Office for People with Developmental Disabilities (OPWDD) congregate care settings are particularly vulnerable to contracting the COVID-19 virus. We should expand COVID-19 diagnostic testing mandates to include these settings for the following reasons: 1) Those who live and work in OMH and OPWDD congregate care settings interact in close proximity; and 2) Some residents exhibit challenging behaviors, making it next to impossible to adhere to social distancing guidelines.

To help reduce the rate of infection and hospitalization in these OMH and OPWDD facilities and programs, we would urge you to implement mandatory testing of all professional and support staff twice a week, as has been mandated for nursing homes and adult care facilities. Furthermore, facilities and programs that do not comply should have their licenses revoked or be subjected to fines.

New York State has implemented important mandates to reduce COVID-19 infection and hospitalization rates to protect older adults in nursing homes. We should do the same for residents and staff of OMH and OPWDD congregate care settings and community programs.

Sincerely,

A handwritten signature in black ink that reads "Liz Krueger".

Liz Krueger
State Senator

cc:

Paul Fisher, Secretary to the Commissioner of the Department of Health

Melissa DeRosa, Secretary to the Governor