



NEW YORK STATE SENATOR

James Tedisco

Leaders Barclay & Ortt to Sponsor Tedisco Bill for Independent Investigation of COVID-19 NYS Nursing Home Deaths

SENATOR JIM TEDISCO July 18, 2020



Senator Jim Tedisco (R,C,I,REF-Glenville) today announced that Assembly Minority Leader Will Barclay (R,C,I-Pulaski) and Senate Republican Leader Rob Ortt (R,C,I-North Tonawanda) have signed on with several other members as sponsors of legislation he authored to establish an independent, bi-partisan state commission to fully investigate the deaths of thousands of New Yorkers who died from COVID-19 in state-regulated nursing homes. Senator Daphne Jordan (R,C,I-Halfmoon) and Assemblywoman Mary Beth Walsh (R,C,I-Ballston) are also sponsors of the bill.

It's been suggested that at least 6,400 New Yorkers have died in nursing homes from COVID-19. However, that number may be significantly undercounted as that doesn't take into account those who may have been infected in a nursing home and then were released and died in a hospital.

Earlier this week, the legislators called on the Senate and Assembly Majorities to leverage their subpoena power to compel to testify at their August hearings, the Governor, Commissioner of Health Dr. Howard Zucker, and any other state official with knowledge of the March 25th order by the Cuomo Administration barring testing of the coronavirus and mandating those infected by COVID-19 to be placed or returned into nursing homes. New York was the only state in the nation to do this.

The legislation sponsored by Tedisco, Barclay, Ortt, Jordan, and Walsh ([S.8756](#)) would create an independent, bipartisan state commission to use subpoena power to investigate what led to this March 25th executive order and its impact, as well as look at the regulations and the oversight safety processes impacting New York State's nursing homes leading up to the COVID-19 outbreak. The bi-partisan Commission would consist of five members: one each appointed by the Senate Majority Leader, Senate Minority Leader, Assembly Speaker and Assembly Minority Leader, and chaired by an appointee of the New York State Attorney General. Each appointee must have expertise in health care and health care policy issues. Commission members would not be paid and they would have subpoena power. A report would be publicly issued and sent to the Legislature with findings and recommendations for the future.

"The families and loved ones of the thousands of people who lost their lives in nursing homes across New York State during the COVID-19 crisis deserve some level of closure and answers that can best be obtained through an independent, unbiased and bi-partisan investigation to find out what really happened that led to these tragic deaths. This

legislation takes the politics out of getting to the bottom of this terrible tragedy because this investigation would be overseen by bi-partisan appointees from both houses of the legislature,” said Senator Jim Tedisco. “I want to thank Leader Barclay and Leader Ortt and all my colleagues for sponsoring this legislation to help us get answers for the families of those who lost their lives and help prepare for a second wave of this pandemic.”

“What happened in New York's nursing homes and adult care facilities was a travesty that demands answers and accountability. More than 6,000 lives were lost to COVID-19 and too many questions remain unanswered. Legislative hearings are an important step, but we must also ensure there is a venue where lawmakers are empowered with full authority to get the information the public deserves from the officials who directed the state's response. The governor and his team spent nearly 100 consecutive days presenting their own narrative and defending their actions. It should be no problem for them to extend the same courtesy to an investigative committee,” said Assembly Minority Leader Will Barclay.

“What's happened in New York's nursing homes is devastating and grieving families deserve answers. A state commission with subpoena power to examine how the state's actions impacted nursing homes, assisted living and long term care facilities is needed to provide an impartial review of this tragedy. I applaud Senator Tedisco for advancing legislation to bring sunshine to this important issue,” said Senate Republican Leader Rob Ortt.

“Over 6,400 senior citizens – likely twice that amount – in nursing homes across New York State lost their lives due to the Coronavirus. This was an avoidable tragedy caused by Governor Cuomo and the State Health Department’s irresponsible mandate that forced nursing homes to accept COVID-19 positive patients. This issue of life and death reaches far above politics. We need to get answers, demand accountability, and have an independent, thorough, bipartisan search for the truth to avoid a reoccurrence of the administration’s disastrous and deadly policy. My good friend and colleague, Senator Jim Tedisco’s legislation

establishing a bipartisan commission to fully investigate the state's COVID-19 response on nursing homes is a smart, forward-thinking, proactive bill that I'm proud to co-sponsor because it will ultimately help protect and save lives," said Senator Daphne Jordan.

"An independent investigation into Gov. Cuomo's handling of nursing homes in the midst of the COVID-19 pandemic is desperately needed. Despite the recent findings included in a report produced by the NYS Department of Health, some of the decisions the governor made regarding these facilities in late March were questionable to say the least," said Assemblywoman Mary Beth Walsh. "More than 6,400 residents in nursing homes lost their lives as a result of the COVID-19 public health crisis being mishandled in these facilities - and their families and loved ones deserve answers. I am proud to join Senator Tedisco and Leader Barclay in sponsoring this legislation and am eager to work alongside all of my colleagues to establish this independent, bi-partisan state commission."