



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara, colleagues propose commission to investigate COVID-19 nursing home crisis: Legislative amendment defeated along party lines

THOMAS F. O'MARA July 23, 2020

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**Albany, N.Y., July 23**—State Senator Tom O'Mara (R,C,I-Big Flats) and members of the Senate Republican Conference continued their efforts today to call for an independent

investigation of the COVID-19 nursing home crisis in New York State.

O'Mara said that the Senate GOP proposed a legislative amendment to advance legislation O'Mara currently co-sponsors (S8756) to establish an independent, bipartisan, temporary state commission that would be able to issue subpoenas to compel testimony and fully investigate and issue a report on the COVID-19 nursing home crisis that has led to the deaths of at least 6,300 seniors.

The amendment was unanimously rejected by Senate Democrat Majority.

O'Mara said, "I and many others have called for an independent investigation into this crisis and tragedy since April. It becomes difficult this far down the road to readily accept an in-house Cuomo administration report that appears to shift the blame from earlier administration policies and directives. We welcome the Cuomo administration's analysis but it still must be examined and verified by an independent investigation. Thousands of lives have been lost and too many questions have been raised to have a state-issued report be the final word. An independent investigation is warranted and necessary for the families who have lost loved ones, the caregivers who put themselves at risk, and to ensure better and safer policies moving forward."

O'Mara was also critical of the Legislature's failure to act this week to limit Governor Andrew Cuomo's emergency powers.

Since early March, O'Mara said that Cuomo has issued over 50 Executive Orders that have allowed the governor to unilaterally change at least 250 laws.

One of these orders, on March 25, required nursing homes and long-term care facilities to accept COVID-positive patients. That move, which was rescinded not long ago following criticisms by O'Mara and other state and local officials, is now believed by many to be one of

the primary factors behind the nearly 6,000 COVID-related deaths that have occurred in New York's nursing homes over the past few months.

O'Mara said, "The dangers and shortcomings of government solely by executive order have become clear. A legislative process without checks and balances can go too far and fail to be effective. The most egregious example is the ongoing crisis in New York's nursing homes where unilateral decisions by the Cuomo administration have proven tragic and where the threats to our most vulnerable population are still not being fully addressed. We had the opportunity to begin fixing both of these failures this week, but this Legislature under one-party control failed to act."

The Legislature has scheduled two public hearings on the nursing homes crisis in early August.