SERINO: LEGISLATURE SHOULD BE ASHAMED OF INACTION ON NURSING HOME DEATHS

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| ISSUE: **CORONAVIRUS; COVID-19; SENIORS; NURSING HOMES; ADULT CARE FACILITIES**

ALBANY, NY–Senator Sue Serino today is highlighting the fact that the Legislature reconvened for the fourth time this week since the start of the pandemic and failed, once again, to take any meaningful steps to better protect nursing home residents or support those who care for them.

Senator Serino, who is the Ranking Member of the Senate's Aging Committee, and her Republican colleagues offered an amendment on the floor of the Senate that would have authorized an independent, bi-partisan investigation into the critically important issue. Senate Democrats who control the legislative chamber rejected the measure outright and instead advanced legislation that opens healthcare facilities up to limited liability in future cases, but does nothing to provide answers to the thousands of New Yorkers who lost loved ones during the pandemic or hold the state accountable for its bad policy decisions.

 *"Thousands of New Yorkers have died in nursing homes across the state, and the Legislature continues to turn a blind eye," **said Senator Serino.** "To return to Albany for a fourth time and continue to take no action to support these residents and those who care for them is truly shameful. To reject an amendment that would authorize a bi-partisan, independent investigation—something countless legislators on both sides of the aisle have called for—only adds insult to injury."*

Senator Serino has been leading the call for an independent investigation into the state's response to the crisis in New York's nursing homes since May. After months of inaction, only recently did the Legislature finally set a date for hearings on the topic, yet the two hearings are not scheduled to take place until August. Recently, Serino called on the Senate Majority to leverage its subpoena power to compel high-ranking state officials, including the Commissioner of Health, to appear and testify at the hearing, however, to date no such action has been taken.

The amendment advanced by Senator Serino's legislative conference would create an independent, bi-partisan state commission, empowered with the ability to issue subpoenas, to investigate the state's response to the pandemic within these facilities. The Commission would be made up 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. The amendment would require each appointee to have expertise in health care and health care policy issues, and the Commission

would be required to issue a public report to the Legislature featuring its findings and recommendations to improve care in the event of a 'second wave' of COVID-19. The amendment models a bill which Serino co-sponsors (S. 8756).

Serino continued saying, *"With overwhelming support amongst state legislators who want to see an independent investigation into the state's response into this particular problem, it is incredibly disappointing that my colleagues are putting politics over people and refusing to advance this initiative. The limited liability legislation they passed instead fails to get at the real problem. It does absolutely nothing to get answers to the families of the over 6,400 New Yorkers who are confirmed to have died from COVID-19 in New York's nursing homes, and it only plays into the scapegoating the state is trying to do to turn attention away from its dangerous policies like the March 25th order that sent COVID-19 positive patients directly into nursing homes. I will continue to urge my colleagues to set politics aside and take real action to better support these residents, their caregivers, and their loved ones."*

New York has reported that over 6,400 residents have died from COVID-19 in New York's nursing homes, but that number is now thought to be grossly underreported.

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