



NEW YORK STATE SENATOR

James Tedisco

## Senator Tedisco, Assemblyman Kim, and Fox News Meteorologist Janice Dean Call for Independent Investigation of Nursing Home Deaths

SENATOR JIM TEDISCO August 19, 2020



Senator Jim Tedisco (R,C,I-Glenville), Majority Democratic Assemblyman Ron Kim (D-Queens), who lost an uncle in a New York nursing home to COVID-19, along with other legislators from both sides of the political aisle, today joined Fox News Senior Meteorologist Janice Dean, who lost her in-laws who were residents of state-regulated elder care facilities to the coronavirus, to call for passage of legislation for an independent, bi-partisan state commission to fully investigate the deaths of thousands of New Yorkers who died from

COVID-19 in nursing homes.

Senator Tedisco and Assemblyman Kim's legislation ([S.8756/A.10857](#)) would establish an independent, unbiased and bi-partisan investigation with subpoena power to perform a top-to-bottom review of what happened in the state's nursing homes to get answers and provide a measure of closure for the families of those who lost their lives and help prepare for a second wave of the pandemic.

The bi-partisan commission to investigate the nursing home deaths 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.

"Some issues transcend partisan politics. The families of the thousands of New Yorkers who lost their lives from COVID-19 while in state-regulated nursing homes deserve a measure of closure and we need to help prepare for a second wave of the virus or a future pandemic. After several legislative hearings, it's clear we need an independent, unbiased and bi-partisan investigation with subpoena power to help us get answers to find out how many people really died from the virus, why did it get so bad in our nursing homes and what steps need to be taken in order to prevent this from happening again," said Senator Jim Tedisco (R,C,I-Glenville). "I want to thank Assemblyman Ron Kim for his leadership on this issue and thank all my colleagues from both sides of the aisle who have sponsored this bill. I especially want to thank Janice Dean for taking the time out of her extremely busy schedule to come to Albany and share the powerful story of her family's terrible loss and her efforts to make a positive difference to help us get answers and save lives in the future."

“Over these past few months, I have been deeply affected by the stories of lives lost during the nursing home crisis. That is why I am calling for this independent investigation.

Governor Cuomo argued against an investigation because ‘nobody can agree on who an independent expert is.’ The only criteria we are looking for is experts that are independent from him. It is no coincidence that the ‘experts’ who authored the Department of Health report on this issue exonerated him from his fatal decision of sending COVID-19 patients back to nursing homes, have strong ties to his administration, and have benefited from his policies and contracts. We would be failing these families if we didn’t come together to demand the truth,” said Assemblyman Ron Kim (D-Queens).

“I am grateful and honored to be part of this call for the passage of bi-partisan legislation for an independent investigation with Senator Tedisco and Assemblyman Kim this week. It’s the stories of the families who have experienced greatest loss in this pandemic – that can help us uncover what really happened,” said Janice Dean, Fox News Senior Meteorologist, who lost both her in-laws to COVID-19 while residing in state-regulated elder care facilities.

“There is a need for an independent and bi-partisan investigation into New York State’s directives regarding nursing homes and similar facilities during the coronavirus pandemic. Those who have lost loved ones deserve answers. I will continue to advocate for accountability by the state of New York for its actions in order to prevent a similar situation from happening again and for dramatic substantive and immediate change in the nursing home industry as a whole,” said Senate Deputy Minority Leader Joseph Griffo (R,C,I-Rome).

“Through its inaction, the Legislature has been complicit in allowing bad state policy to put the most vulnerable in harm’s way. By failing to leverage its subpoena power to compel state officials to testify at its recent hearings, the Legislature only added insult to injury. Now, more than ever, we need a truly independent, non-partisan investigation into the state mishandling of the crisis in these facilities. These residents and their loved ones deserve

answers, they deserve accountability and most importantly, they deserve a better path forward. We will not stop fighting to protect these vulnerable New Yorkers, and support those who care for them,” said Senator Sue Serino (R,C,I-Hyde Park), Ranking Member of the Senate Aging Committee.

“The preventable deaths of 6,400 senior citizens, possibly many more, due to Governor Cuomo and the State Department of Health’s reckless, irresponsible, and deadly mandate that forced nursing homes to accept COVID-19 positive patients is a staggering, incomprehensible loss for their families and our state. My heart goes out to the families who lost a loved one and are grieving because of the state’s disastrous policy. I applaud Janice Dean for her tireless, fearless, and powerful advocacy in demanding accountability. Without question, the continued search for answers demands the creation of a bi-partisan state Commission empowered to follow the truth, wherever it leads. This measure must become law so we can ensure such a tragedy never happens again. I applaud my colleague Senator Tedisco for sponsoring this smart, forward-looking bill that I’m proud to co-sponsor,” said Senator Daphne Jordan (R,C,I-Halfmoon).

“With New York’s coronavirus death toll in nursing homes among the highest in the nation, families deserve answers,” said Assemblyman Angelo Santabarbara (D,C,I-Rotterdam). “As most regions are now well into the re-opening process, a full investigation is long overdue and critically important to ensure the necessary changes are made to prevent tragedies like this from happening again. If the Governor is not going to do it, then we as legislators must pass the necessary legislation needed to review and investigate New York’s policies, decisions and protocols utilized in response to the COVID-19 pandemic and the impact on state-regulated nursing home facilities.”

“Since first calling for a bi-partisan, independent investigation into Governor Cuomo’s handling of nursing homes in the midst of the COVID-19 pandemic, there have been two

virtual hearings held by the Senate and Assembly Committees on Health, Aging and Oversight and one forum spearheaded by Republican leadership. Unfortunately, despite vigorous questioning of DOH and countless testimonies from advocates and family members, we remain with more questions than answers and very little accountability,” said Assemblywoman Mary Beth Walsh (R,C,I-Ballston). “This is not a Democrat or Republican issue, and I am grateful to work in a bi-partisan effort alongside Senator Tedisco and Assemblymember Ron Kim as we continue to advocate for this much needed commission.”







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## RELATED LEGISLATION

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### 2019-S8756

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- Introduced
  - In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
- On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Establishes a temporary state commission to study and investigate the effects of the COVID-19 pandemic response on deaths in nursing homes; and providing for the repeal of such provisions upon expiration thereof

July 14, 2020

In Senate Committee [Rules](#)

Sponsored by [James Tedisco](#)

Do you support this bill?