



NEW YORK STATE SENATOR

Alessandra Biaggi

## NYS SENATOR BIAGGI ISSUES STATEMENT ON ATTORNEY GENERAL JAMES' NURSING HOME REPORT

ALESSANDRA BIAGGI January 28, 2021

**ALBANY, NY** – Today, January 28th, 2021, New York State Attorney General Letitia James issued a [report](#) on New York's "[Nursing Home Response to COVID-19 Pandemic](#)." Her report finds that New York State Department of Health (DOH) data undercounted the number of nursing home deaths from COVID-19 by as much as 50%, and that early DOH guidance to nursing homes to readmit COVID positive patients may have increased the risk of fatalities in nursing homes. The Attorney General calls for the repeal of immunity provisions in Article 30-D of the Public Health Law which, according to her report, may have provided financial incentives to nursing homes to put residents at risk.

**State Senator Alessandra Biaggi (D-Bronx/Westchester) issued the following statement:**

"Attorney General Letitia James' report on New York State's handling of COVID-19 in nursing homes reveals a profound failure of executive leadership. We have a solemn duty as a society to protect and value aging New Yorkers. Instead, Governor Cuomo and the New York State Department of Health treated our elders as expendable, as if their lives were nothing more than the cost of doing business.

My heart remains with every New Yorker who lost a loved one in a nursing home over the last year. We owe it to those families to pursue this matter further to ensure that the same

mistakes never happen again, and that the people and institutions at fault are held responsible for their actions. First and foremost, we must urgently act to repeal the remaining protections under the Governor's disastrous immunity provision passed in last year's budget, and provide New York's families with the proper legal recourse to pursue justice.

As the Attorney General's report validates, New York State undercounted the number of COVID-19 nursing home deaths by as much as 50%. All who are involved in what is quite literally a cover-up of a massive loss of life, must be held responsible. Health Commissioner Howard Zucker has completely failed to do his job and has betrayed public trust when his transparency was needed most. As we have demanded for months, the Commissioner must provide us with full and accurate information and must be held accountable immediately.

I extend my deepest gratitude to Attorney General James for her dogged pursuit of the truth, and commitment to doing right by New Yorkers. The fight for justice continues."

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