Senate Republican Conference Calls On NY Congressional Delegation for Update On Department of Justice Nursing Home Investigation

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In the wake of Attorney General Letitia James's disturbing report on the underreporting of nursing home deaths, Senate Republican Leader Robert Ortt and members of the Senate Republican Conference today called on New York's Congressional Delegation to immediately obtain an update from the Civil Rights Division of the United States Department of Justice on its inquiry into New York State's handling of the COVID-19 crisis in our nursing homes.

This request to the Congressional Delegation follows Leader Ortt's and the Senate Republicans' call yesterday for the resignation of NYS Department of Health Commissioner Howard Zucker, as well as a full investigation into Governor Cuomo's handling of COVID-19 in the state's nursing homes. For months, Governor Cuomo and his administration have refused to be transparent and failed to take responsibility for the negative consequences of their actions during this public health crisis, especially the deadly March 25, 2020 order to send COVID-positive patients into nursing homes.

Furthermore, the Senate Republican Conference has been calling on Senate Democrats for months to use the subpoena power they have repeatedly chosen not to use in order to obtain the answers New Yorkers deserve, particularly those who have lost loved ones in nursing homes during the pandemic.

"For months, Senate Republicans have been calling on Governor Cuomo and the Department of Health to be open and transparent and provide this crucial information. The AG's bombshell report is just the tip of the iceberg and New Yorkers deserve nothing more than a full, independent investigation of this administration. This should not be a partisan issue, but since our colleagues in the Legislature continue to balk at using their subpoena power, we must turn to our federal representatives to help us hold this administration accountable," said Senate Republican Leader Rob Ortt.

"A federal investigation was started last year to help get New Yorkers the answers they deserve and the Attorney General's bombshell report makes it clear that we absolutely cannot let it fall through the cracks. Every lawmaker in New York has a duty to do what they can to get the data we need to better protect these vulnerable residents and support those who care for them. If the State Legislature fails to leverage their power to get these answers, then we will turn to our federal representatives to finish what was started to help better protect these residents. Together, we can put an end to the policies that have put residents in

harm's way and ensure they have the resources they need to stay safe and COVID-free," said Senator Sue Serino, ranking member of the Aging Committee.

"For months, my Senate Republican colleagues and I have demanded a full, independent investigation into Governor Cuomo's handling of the Coronavirus pandemic in our state nursing homes. Those demands are shared by the loved ones of those who died in New York nursing homes throughout this devastating pandemic. While yesterday's report published by the Attorney General's office was a good first step toward meeting those demands, there's much more we need to do to hold the Governor and his stonewalling Department of Health accountable. And since our Legislative Majorities repeatedly refuse to do their jobs, we respectfully ask that you, our federal representatives, assist us in getting all New Yorkers the answers we deserve," said Senator Tom O'Mara, ranking member of the Investigations and Government Operations Committee.

"Now that the Attorney General's bombshell report has begun to lift the veil of secrecy that was hiding the real numbers of nursing home residents who have been lost during the pandemic under Governor Cuomo's leadership, we need the U.S. Justice Department to conduct a holistic top-to-bottom investigation of the Administration's cover-up of the deaths of about 13,000 New Yorkers from the coronavirus. I hope the members of New York's congressional delegation will join myself, Senator Sue Serino and our Senate Republican colleagues in seeking justice and answers for the families who lost loved ones and help prevent something like this from happening again," said Senator Jim Tedisco, ranking member of the Mental Health Committee.

"The Attorney General's report illustrates a lack of transparency by the Department of Health and raises more questions about the administration's actions in relation to pandemic-related policies in nursing homes. We need to ensure that the Department of Health is providing accurate and timely information and is held accountable for its actions. Many of

the policies and procedures put in place at nursing homes have jeopardized the lives, health and safety of our most vulnerable residents and caused undue pain and suffering for their families. A DOJ investigation is warranted," said Senator Patrick M. Gallivan, ranking member of the Health Committee.

"Governor Cuomo and his Health Commissioner Howard Zucker stonewalled the Legislature for months claiming they were still compiling the total death numbers, yet once the Attorney General's report became public, they miraculously produced the numbers within a few hours. The Administration intentionally misled the public to conceal their deadly decision to force Covid positive patients back into nursing homes, which resulted in thousands of deaths. The coverup of their actions, which could have been characterized as negligence had they been honest with us months ago, has now become a national embarrassment, highlighting New York's failures during the pandemic. The AG's report is only the beginning. We urge our federal and state partners to fully investigate New York's handling of COVID-19 in our nursing homes and provide New Yorkers with the truth of what transpired during this crisis," said Senator Anthony Palumbo, ranking member of the Ethics and Internal Governance Committee.

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