



NEW YORK STATE SENATOR

James Tedisco

## Tedisco Observes 1st Anniversary of New York's "Day of Infamy" Of Cuomo's Nursing Home Executive Order and the 15,000 Lives Lost

SENATOR JIM TEDISCO March 25, 2021



Senator Jim Tedisco (R,C-Glenville) today joined several of their Senate Republican colleagues, and the loved ones of nursing home residents who lost their lives to COVID-19, outside the state Capitol on the first anniversary of Governor Andrew Cuomo's controversial March 25, 2020 executive order mandating COVID-positive patients be placed into nursing homes.

Tedisco and their colleagues are remembering the 15,000 nursing home residents who died from the virus in the past year by calling for a “We Care Remembrance Day” to designate March 25<sup>th</sup> as a day in New York State to always reflect and honor the memories of our most vulnerable population and all those who died from COVID-19 in what has become one of the worst disasters in state history.

“The marking of this day, March 25<sup>th</sup>, has sadly and tragically become a new ‘day of infamy’ in New York State to reflect on the day exactly one year ago today when Governor Cuomo issued an executive order mandating COVID-positive patients be placed into nursing homes and to remember the 15,000 lives lost to the virus. We remember that every life lost was more than just a statistic, these individuals were someone’s spouse, parent, grandparent and sibling and they deserve justice. This day should be set aside moving forward as a day of solemn reflection in New York State for all those souls who needlessly lost their lives,” said Senator Jim Tedisco.

“For close to a year, the Cuomo Administration denied its March 25<sup>th</sup> Executive Order had any substantial impact in spreading the virus in our nursing homes as to what the Governor defined as a wild fire through dry grass. We now know that the Governor and his staff conspired to cover this data up because it didn’t fit with the false narrative in his book that he was Andrew Cuomo: Covid Slayer. Now that the Cuomo Administration is the subject of a federal criminal investigation for its handling of the nursing home cover-up, we must ensure that a terrible tragedy like this never happens again,” said Senator Tedisco.

“For too many New York families, March 25<sup>th</sup> is a day that forever changed their lives,” said Senator Serino, Ranking Member of the State Senate’s Aging Committee. “We pause today to honor the legacies of the 15000+ nursing home and residential healthcare facility residents who were lost to COVID-19. These residents were so much more than numbers on a state spreadsheet. These were real people, with real lives, whose deaths should

not be in vain. It is in their memory that we continue the fight for justice, and for better policies to ensure that no one else ever has to suffer the way these families have. It is our hope that this day will serve as a permanent reminder of the need to always protect our most vulnerable.”

“My mother, Doris, lived independently until 2018 when she moved into a nursing home in the Buffalo area. When COVID-19 hit last March, we got the call that nursing homes were being shut down to visitors. Several weeks later, one of the patients there tested positive. They tested all the other patients and my mother was negative. Around May 6<sup>th</sup>, my mother unfortunately contracted COVID-19, and by May 17<sup>th</sup> she succumbed to it. I’ve shared my family’s experience with Senator Jim Tedisco and thank him and his Senate Republican colleagues for being out-front on this issue seeking a bi-partisan investigation with subpoena power to get answers so something like this never happens again,” said Dan Mathias of Clifton Park, who lives in Senator Tedisco’s District.

**Background:**

The Governor’s March 25<sup>th</sup> executive order was not reversed until May 10<sup>th</sup>. For months, Senator Tedisco and his colleagues in the legislature were continually stonewalled by the Governor, state Health Commissioner Dr. Howard Zucker and the state Department of Health (DOH) from receiving the full count of coronavirus deaths among nursing home residents.

Senator Tedisco is sponsoring legislation with Majority Democratic Assemblyman Ron Kim (S.2067/A.3162) for an independent, bi-partisan state commission with subpoena power to fully investigate the nursing home deaths to bring closure for the families of the loved ones who lost their lives and learn what happened so we can be prepared for a future pandemic.

In September, Tedisco filed an amicus brief to the Empire Center for Public Policy's lawsuit against the Cuomo Administration for its refusal to release the records. It wasn't until the Attorney General issued a scathing report last month pulling back the veil of secrecy from the Cuomo Administration, finding there was a 50 percent undercount of the total number of those who got the contagion in a nursing home and died there and those who got it and died in a hospital.

After the Attorney General's bombshell report was released, Justice Kimberly O'Connor made a judgment on the Empire Center's lawsuit saying the Cuomo Administration violated the open government law and ordered the full nursing home data be publicly released. The Governor and his staff are now the subject of a criminal investigation into the cover-up by the FBI and U.S. Attorney's Office in Brooklyn.

Tedisco also is sponsoring legislation (S.5752) to create a criminal penalty for violating New York's open government and Freedom of Information Law.

