



NEW YORK STATE SENATOR

Daniel G. Stec

Stec: OPWDD covid-19 readmission policy is unsafe

DANIEL G. STEC March 29, 2021

| ISSUE: **CORONAVIRUS PANDEMIC; COVID-19, OPWDD**

Senator Dan Stec is cosponsoring legislation that would immediately end an executive order from last April that continues to direct the Office for People With Developmental Disabilities (OPWDD) to admit or readmit COVID-19 positive residents.

The policy is similar to the nursing home mandate that forced facilities last spring to readmit sick residents who were contagious with the coronavirus.

“Nearly a year later, given all we’ve learned about at-risk populations, the fact that this directive remains in effect is troubling,” said Stec. “Personal Protective Equipment and other preventative measures only go so far. It would be much safer for residents and staff to have a negative test result before someone known to have been sick is admitted or readmitted.”

The legislation S5922, reads: “Notwithstanding any law, rule, regulation or guidance to the contrary, no OPWDD group home or facility shall knowingly allow a COVID positive resident to enter or reenter that facility as a temporary or permanent resident absent a negative test for COVID-19. This Act shall take effect immediately.”

In response to an inquiry last month by Senate Republicans, the OPWDD in a March 16 letter claimed that 548 residents died from COVID since the start of the pandemic. OPWDD, which serves approximately 34,500 residents, reported that more than 6,900 tested positive for

COVID-19.

In addition to the legislation, all communications between OPWDD, the Department of Health, and the Governor's office in regard to the readmission directive has been requested of but not provided by OPWDD.

"The lack of transparency leaves open lots of questions and concerns," said Stec. "I have pushed for a complete end to the governor's emergency powers and this is another example why."

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RELATED LEGISLATION

2021-S5922

- 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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Relates to prohibiting the admission of COVID-19 positive residents to residential facilities for persons with developmental disabilities

March 23, 2021

In Senate Committee [Disabilities](#)

Sponsored by [Mike Martucci](#)

Do you support this bill?