

THE SENATE  
STATE OF NEW YORK



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December 1, 2020

Honorable Andrew M. Cuomo  
Governor of New York State  
NYS Capitol Building  
Albany, NY 12224

Howard A. Zucker, M.D., J.D.  
Commissioner  
New York State Department of Health  
Corning Tower  
Empire State Plaza  
Albany, NY 12237

Dear Governor Cuomo and Commissioner Zucker:

I want to start by thanking you for your continued commitment to promoting public health and safety during this difficult time. I watched with great interest yesterday as you announced your ‘winter plan’ to address the increased challenges many will experience in the coming months. While I appreciate your willingness to communicate this plan with the public, I was deeply disheartened to see once again, that no plan was announced to effectively protect the most vulnerable New Yorkers—residents of nursing homes and residential healthcare facilities.

Your winter plan as announced includes a requirement for the creation of plans to establish emergency field hospitals, yet once again makes no mention of a plan to help keep COVID-positive patients effectively isolated and out of vulnerable facilities. As you know, since April, I have been advocating for the state to develop a plan to create regionalized specialty care centers, or ‘step-down’ facilities, where residents of these facilities who contract COVID can safely and fully recover without jeopardizing the health and safety of other facility residents.

Earlier this year, the Legislature held two public hearings on the COVID crisis in these facilities, and our conference held an additional roundtable as well to hear from witnesses who were excluded from these hearings. During these events, public health officials and facility staff testified to the importance of creating such facilities, yet to date, we have not seen progress on this critically important initiative.

As I noted in my previous correspondence on this topic, as the ranking member of the NYS Senate Aging Committee, I am particularly sensitive to the need to maintain continuity of care and to provide a stable environment for residents of these facilities. I share the concerns that Dr. Zucker has raised at numerous press

conferences about limiting disruptions for these patients and ensuring that they ultimately return to the facilities that have become their home. That being said, we know that the state cannot repeat its previous mistakes by requiring these facilities to accept COVID-positive patients as it did in March. We absolutely have to have an operational plan in place that keeps COVID-19 out of these facilities, while providing effective alternatives that enable residents to fully recover before returning.

Our long-term care facilities are valued partners in the healthcare system, and they cannot be treated as an afterthought as the state works to develop plans to get through the coming months. We must do all we can to protect these residents, communicate with families, and empower facilities to provide the best possible care.

I thank you for time and would appreciate your immediate consideration of this critically important matter.

Sincerely,

A handwritten signature in cursive script that reads "Sue Serino".

Senator Sue Serino  
41<sup>st</sup> District