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Gov. Cuomo can't dodge accountability for nursing home deaths forever

By Steve Scalise

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The Cuomo administration is under investigation for its decision to mandate that nursing homes accept known COVID-positive patients while also prohibiting homes from even testing patients

for COVID-19 prior to admission. Don Pollard

The novel-coronavirus death toll in New York's nursing homes is tragic. More than 6,000 American seniors died of COVID-19 in nursing homes and long-term-care facilities across the Empire State, yet grieving families have no answers for how this happened or who is responsible.

As the ranking member of the US House of Representatives Select Subcommittee on the Coronavirus Crisis, I am charged with investigating "preparedness for and response to the coronavirus crisis." By all accounts, New York's handling of the crisis in its nursing homes has been a colossal failure.

The failure demands investigation. We have to protect against similar tragedies in the future.

Our investigation centers on Gov. Andrew Cuomo's decision, on March 25, to force nursing homes to accept known COVID-positive patients while also prohibiting homes from even testing patients for COVID-19 prior to admission. This policy, which remained in place for more than six weeks, likely contributed significantly to the thousands of elderly deaths in New York nursing homes.

New Yorkers deserve accountability and transparency. Cuomo, who is ultimately responsible, has been neither accountable nor transparent.

The governor has deflected responsibility for this mistake to any number of other entities, including, bizarrely, the New York Post. More recently, Cuomo blamed President Trump, saying, "Why did the state do that with COVID patients in nursing homes? It's

because the state followed President Trump's CDC guidance." PolitiFact rated this statement "Mostly False."

Federal guidance from weeks before Cuomo's fateful decision made clear that nursing homes should admit individuals from hospitals where COVID-19 was present only if the nursing home was prepared to follow Centers for Disease Control and Prevention quarantining guidance.

Many nursing homes in New York weren't prepared to accept COVID-positive patients, yet Cuomo ignored federal guidelines and forced them to accept contagious patients anyway. We need to know why.

Other states specifically prohibited nursing homes from accepting COVID-positive patients, which led to much better outcomes. Florida, a retirement state with more nursing-home patients than New York, saw nearly 5,000 fewer nursing-home deaths than did the Empire State.

Florida Gov. Ron DeSantis banned COVID-positive patients from being reintroduced into nursing homes early on in the crisis. Other states got it right — what went wrong in New York? New Yorkers who lost their parents and grandparents are rightly furious and want answers.

Our subcommittee sent letters to Cuomo demanding transparency. In response, the governor's public-relations flacks attacked me and my colleagues as "craven political hacks" who are "apparently seeking some sort of election-year boost and to misdirect attention away from the oversight committee's investigation into the federal pandemic response."

I should remind Cuomo that I am elected in Louisiana. Many of my constituents, blessedly, have no idea who the governor of New York is. As for my efforts to “misdirect attention away from the oversight committee’s investigation,” I should remind Cuomo that, as a subcommittee of that very same Oversight Committee, we are explicitly charged with investigating his failures in New York.

We are working on behalf of New Yorkers and Americans everywhere. Cuomo has deflected and evaded us at every possible opportunity. But the truth will come out, with or without his cooperation.

As our country faces a potentially deadly second wave in the coming months, we must learn from the serious mistakes in our past. Every day he delays the inevitable, Cuomo hinders our future response, while pouring salt on the wounds of grieving families in his state.

Steve Scalise (R-La.) serves as the ranking member of the House of Representatives’ Select Subcommittee on the Coronavirus Crisis.