

FEDS NEED TO INVESTIGATE CUOMO

New York Rep. Elise Stefanik has called for an independent federal investigation of Gov. Andrew Cuomo's response to the way he handled the coronavirus pandemic in New York's nursing homes. We second that.

Cuomo is responsible for the nursing home scandal: nearly 6,000 men and women have died in New York State nursing homes as a result of coronavirus, and this doesn't count those who were moved to a hospital before dying. Cuomo's delinquent response to this tragedy is directly responsible for thousands of these deaths.

In this country, coronavirus started in Washington state. It didn't start in a school or in a salon: it started in a suburban Seattle nursing home. This should have been a red flag to governors across the nation: protecting those in nursing homes must be a priority. Some governors acted responsibly, such as Florida's Ron DeSantis; others, such as Cuomo, were a disgrace.

In March, DeSantis and Cuomo both issued executive orders on how to proceed with managing nursing homes during the pandemic. Their strategies were polar opposites. So were their results.

On March 15, Florida's Division of Emergency Management, under the direction of DeSantis, mandated that entrance to nursing homes be narrowly limited, subject to specific criteria. Everyone, including staff, had to submit to temperature checks, and those who were symptomatic were not allowed into the facility. PPE was mandated for all staff.

Most significantly, nursing home patients who tested positive were sent to special COVID-19 nursing facilities; they were

not allowed to stay in regular nursing homes. Moreover, hospitals were not permitted to send these patients back to their nursing home.

Ten days after DeSantis acted, Cuomo ordered nursing home patients treated in hospitals back to where they came from, thus infecting staff and patients. On March 25, his order read, "No resident shall be denied re-admission or admission to the NH [nursing home] solely based on a confirmed or suspected diagnosis of COVID-19."

Cuomo's edict was the most monumentally irresponsible act committed by any governor in the nation. When nursing home operators asked to transfer patients, they were summarily denied. To top things off, he authorized a "don't even try to resuscitate" mandate.

The "let them die" order was later rescinded. Cuomo's decision to force nursing homes to accept COVID-19 patients was also rescinded, but not until May 10. It was too late, in both instances, for some patients.

Florida has a bigger population than New York and has a big elderly population, yet it has only a fraction of the number of nursing home deaths as the Empire State. Leadership matters, and when it falters, innocent persons die.

It is not as though Cuomo wasn't warned. On March 26, the day after his infamous edict, the American Medical Directors Association announced that "admitting patients with suspected or documented COVID-19 infection represents a clear and present danger to all of the residents of a nursing home." His failure to listen defies reason.

Worse, Cuomo had places to put these patients. Thanks to the Trump administration, the USNS Comfort ship, with 1,000 beds, was available, and so was the Javits Center, with 3,000 beds. But both of these enormous facilities were closed to nursing home COVID-19 patients. When it was obvious that these venues

were not being used by hospitals for other patients—most of these beds were empty—Cuomo could have stepped up and changed course. But he did not.

Cuomo did not lack for decisiveness when he recently declared that “nobody” should be prosecuted for the way nursing homes were managed. “Older people, vulnerable people, are going to die from this virus. That is going to happen. Despite whatever you do.”

Wrong, Gov. Cuomo. What Gov. DeSantis did saved lives. What you did lost lives.

Feeling the pressure, Cuomo has asked his Attorney General, Letitia James, to conduct an investigation of the nursing home fiasco. We have dealt with her and found her honorable. Still, this investigation needs to be done by someone not associated with the state government. That is why we agree with Rep. Stefanik that the U.S. Department of Health and Human Services conduct the probe.

Stefanik’s reasoning is sound. “The governor [Cuomo] took executive action, forcing positive COVID cases back into nursing homes. There was zero transparency in terms of informing the seniors, the workers, or the family member whether there were positive cases.”

After the Child Victims Act passed last year, allowing for old cases of sexual abuse to be prosecuted, Cuomo was delighted. “I think the bishops have worked to protect the church over doing justice.” He blamed them for “not taking responsibility.” He added that “The Catholic Church was not aggressive in stopping it [sexual abuse] when they knew about it.” He was referring to the conduct of some bishops from the last century.

Now it is Cuomo who is protecting himself “over doing justice,” and his wrongdoing is happening in real time. It is he who is “not taking responsibility.” And it is he who was

“not aggressive” in stopping nursing home deaths when he knew about it. He needs to be investigated, and it is the feds who should do the job.