

# LONG TERM CARE COMMUNITY COALITION

*Advancing Quality, Dignity & Justice*

## STATEMENT ON NYS ATTORNEY GENERAL'S REPORT ON THE FAILURE TO PROTECT NURSING HOME RESIDENTS DURING THE COVID-19 PANDEMIC

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**January 29, 2021** – Yesterday, [the Office of the New York State Attorney General \(OAG\) released a devastating report](#) on its preliminary findings from an ongoing investigation into nursing home care and safety in NY during the COVID-19 pandemic. The report documents and details the failures of nursing homes to protect residents during the continuing pandemic, the abject neglect that too many residents have experienced, and failures by the NY State Department of Health (DOH) to both ensure compliance with minimum standards and be forthright with the public about resident deaths. The report's findings reinforce the need for minimum staffing standards, increased financial accountability, and meaningful regulatory oversight to ensure the quality of care, quality of life, and dignity for long-term care residents in New York.

Preliminary findings from the report include:

- Too many nursing homes failed to comply with pre-existing infection control protocols;
- Facilities with lower staffing ratings had higher COVID-19 fatality rates;
- Insufficient personal protective equipment (PPE) and coronavirus testing for nursing home staff put residents and staff at increased risk;
- DOH public data undercounted COVID-19 deaths in some nursing homes by as much as 50%;
- Owners of for-profit nursing homes have a financial incentive to increase their own profits instead of investing in more staff, PPE, and other safety measures; and
- Lack of compliance with the executive order requiring communication with family members has caused avoidable pain and distress.

“This shocking yet unsurprising report must serve as a wake-up call that vulnerable residents and their families deserve better,” said Richard Mollot, LTCCC’s executive director. “Many of the failures documented in this report have been going on for years and have only been exacerbated by the COVID-19 pandemic. It demonstrates that the longstanding system of accepting and paying for substandard nursing home care has been harmful for residents, their families, and the public at large. We thank Attorney General James for undertaking this important work and shedding light on the catastrophic impacts of both COVID-19 and inadequate quality assurance on nursing home residents.”

LTCCC publishes a range of information on nursing home staffing and quality nationwide, including COVID-19 fatality data on New York State nursing homes and adult care facilities (available at [nursinghome411.org/ny-nursing-home-covid-data/](https://nursinghome411.org/ny-nursing-home-covid-data/)). To receive future alerts and news, visit [nursinghome411.org/join/](https://nursinghome411.org/join/).