

New York Governor Cuomo embroiled in political crisis over coverup of nursing home deaths

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New York Governor Andrew Cuomo is at the center of a political crisis over the coverup of deaths due to the pandemic in nursing homes across the state.

On February 11, the *New York Post* reported on an internal meeting of state Democratic lawmakers during which Secretary to the Governor Melissa DeRosa, a top Cuomo aide, said that data on nursing home deaths was withheld from legislators last year out of concern that the Trump administration would have used the information “against us.”

On the call, according to a transcript released by the governor’s office, DeRosa told legislators that the data was withheld because “around the same time” it was requested by the State Assembly and State Senate in August 2020, “President Trump turns this into a giant political football.”

She continued: “He starts tweeting that we killed everyone in nursing homes, he starts going after [New Jersey Governor Phil] Murphy, starts going after [California Governor Gavin] Newsom, starts going after [Michigan Governor] Gretchen Whitmer.”

She then said that the federal Department of Justice (DOJ) demanded information of various states, at which point New York officials “froze, because then we were in a position where we weren’t sure if what we were going to give to the Department of Justice or what we give to you guys, what we start saying was going to be used against us while we weren’t sure if there was going to be an investigation.”

DeRosa then lamely claimed that, after the state had provided information to the Trump administration, it could not provide similar information to the legislators for several months because of the second wave of COVID-19 and the vaccination program.

There are two interrelated aspects of this crisis: that New York state, during the spring 2020 peak of the pandemic, declared that “[n]o resident shall be denied re-admission or admission to the nursing home solely based on a confirmed or suspected diagnosis of COVID-19,” and that about 50 percent of deaths of nursing home residents had been obscured until the January 28, 2021 release of a report from state Attorney General Letitia James.

That nursing homes were directed to admit COVID-19 patients—according to the Associated Press, over 9,000 during the spring—without or even despite testing almost certainly contributed to the high death toll in these facilities. However, due to the very nature of the guidance, its precise role may be impossible to establish.

More than 15,000 nursing home residents in New York state have died from COVID-19 during the course of the pandemic.

The admission has sparked calls from Democrats and Republicans alike that Cuomo face investigation, censure or other penalties. Fourteen Democratic state senators have called for his pandemic-related powers to be revoked early, and CNN quoted a source saying that such a measure “is definitely going to happen.”

Senate Majority Leader Andrea Stewart-Cousins, a Democrat, declared, “Crucial information should never be withheld from entities that are empowered to pursue oversight.”

State Senator Jessica Ramos, also a Democrat, said, “His emergency powers must be rescinded, he and his administration must be subpoenaed for all of the pertinent information, and a full investigation must result in justice for our grieving families.”

Republican officials, for their part, have called for Cuomo to resign, for the legislature to initiate impeachment proceedings and for a federal investigation to be opened to determine the extent of the cover-up.

State Senator Tom O'Mara, a Republican, issued a statement denouncing "a massive and unconscionable cover-up," adding, "We should not be finding out the truth of this tragedy in nursing homes through leaks of secret Democrat-only meetings." He called for subpoenaing Cuomo and his aides.

Republicans and the right-wing media, such as Fox News, have been making political hay out of the revelation of Cuomo's wrongdoing. Cuomo has certainly made himself an easy target in that respect, releasing a book last year just before the second wave touting the "lessons in leadership" from the pandemic, accepting an International Emmy for his daily news conferences, and taking softball interview questions from his brother Chris Cuomo, a CNN anchor.

Indeed, the cover-up of data may only be part of a broader scandal involving Cuomo and the nursing home industry. Last April, Cuomo quietly signed legislation protecting hospital and nursing home executives from the threat of lawsuits stemming from the coronavirus pandemic. A provision inserted into the annual budget bill established one of the country's most explicit legal immunity shields for health care industry officials.

Two years before, in 2018, when Cuomo was locked in a primary challenge in his reelection bid, the Greater New York Hospital Association poured over \$1 million into a Democratic committee supporting his campaign.

More fundamentally, however, the revelations underscore the criminality of officials in both big business parties at every level of government in relation to the pandemic. The Republican Trump administration presided over a catastrophic federal response deliberately aimed at infecting the population, which has resulted in hundreds of thousands of deaths, with a disproportionate impact on elderly, disabled and poor Americans. Governor Cuomo, despite much promotion by the Democrats and mainstream media as an alternative to Trump, kept schools and businesses open for far too long in the early stages of the pandemic, condemning thousands to an early grave and ensuring that New York had, until very recently, the highest

death toll of any state.

The fact—often cited by Cuomo and admitted by some of his detractors, such as Attorney General James—that his guidance on nursing home admissions was consistent with guidance from the federal Centers for Medicare and Medicaid Services (CMS) and the Centers for Disease Control and Prevention (CDC) only underscores the bipartisan criminality of the response of the ruling class.



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