

# New Jersey to pay \$53 million to settle claims related to 119 veterans' home COVID-19 deaths

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The state of New Jersey has agreed to pay \$52.9 million to the families of 119 deceased residents of state-run veterans' homes. The residents' deaths were attributed to COVID-19 and occurred during the beginning of the pandemic in 2020. The residents' families accused the state of gross negligence and incompetence related to its response to the coronavirus outbreaks in these homes.

New Jersey operates veterans' homes in Paramus, Menlo Park and Vineland. The homes in the former two cities had some of the highest pandemic-related death tolls in the country. After more than 200 residents died, the state responded by sending personnel from the National Guard and the Veterans Administration to help.

To ensure that news about the settlement was buried, Democratic Governor Phil Murphy's office made the details public on the afternoon before Christmas. Murphy, a multimillionaire former Goldman Sachs executive, was on vacation in Costa Rica at the time.

Under the terms of the settlement, the 119 families will receive an average payment of \$445,000, and the state will admit no guilt for the deaths. The settlement also allows the state to avoid additional trials that would have further exposed the state's disastrous response to the pandemic.

"I have lost more friends and fellow residents during this past year than I ever did during my military service," said Glenn Osborne, a former Marine and president of the resident council at the New Jersey Veterans Memorial Home in Menlo Park, during testimony before a Republican-led committee hearing in March. "These deaths should have been avoided."

The Murphy administration's management of the

veterans' homes during the pandemic has been nothing short of criminal. New Jersey, one of the wealthiest states in the country, has the fourth-highest number of coronavirus deaths per million residents. Along with New York, it was an early epicenter of the pandemic in 2020.

The state's response to the pandemic, particularly in nursing homes, quickly became a scandal. By May 4, 2020, more than half of coronavirus-related deaths in New Jersey had occurred at long-term care facilities. In June 2020, anonymous whistleblowers from the state's department of health called the state's response to the pandemic "an unmitigated failure" that had resulted in "preventable deaths."

Management at the veterans' homes directed staff not to wear gloves or masks because it "might scare residents." Veterans who had been infected with COVID-19 were allowed to gather in common areas with those who were not sick. Families have accused administrators of failing to enact proper measures to prevent infection, despite clear evidence that the virus was spreading rapidly, and of failing to test staff and residents in a timely manner.

Workers at these homes struggled with shortages of personal protective equipment. In response to severe understaffing, administrators allowed workers who tested positive for the virus, and coworkers who had been exposed to them, to keep working.

The deadly policy to allow infected workers to remain on the job prefigured the updated isolation and quarantine guidelines from the Centers for Disease Control and Prevention (CDC). The new guidelines slash the number of days a worker with COVID-19 must isolate from 10 to five days and do not require a

negative test to return to work.

Two separate investigations are also underway. The United States Department of Justice is investigating whether New Jersey violated the Civil Rights of Institutionalized Persons Act at the homes in Paramus and Menlo Park. At issue is whether the Murphy administration underreported the number of deaths in the veterans' homes. A second subject of investigation is the state's order that nursing homes accept residents who had been treated for COVID-19 in a hospital. The nursing homes were intended to separate infected patients from other residents, but few facilities were able to do so properly.

Responding to public pressure, New Jersey Acting Attorney General Andrew Bruck is also conducting a separate state investigation. But it can be certain that neither of these investigations will expose additional crimes or impose significant penalties on the guilty parties. Moreover, it is unlikely that the state will carry out the necessary policies to prevent similar catastrophes, which are expected in the near future as the highly transmissible Omicron variant continues to spread.

The atrocious conditions at New Jersey's veterans' homes and nursing homes reflect the systematic crisis of these facilities across the country. On Christmas morning last month, the Autumn Heights Care Center in Denver, Colorado, was so short-staffed that a worker called 911 for help. The nursing home, which was in the middle of a COVID-19 outbreak at the time, was operating with only one nurse for 50 patients. The Denver Department of Public Health and Environment contacted a staffing agency to send more workers to the facility.

In late November 2021, a patient at the Rialto Post-Acute Care Center in California went into cardiac arrest. Knowing that acute care centers have been consistently turned into viral hot spots, the local paramedics refused to enter the building, citing a memo from the San Bernardino County Fire Chiefs' Association, which declared that "personnel responding to long-term care facilities" should take steps to "minimize any potential risk for exposure" to the coronavirus. A policeman assisted staff in pushing the patient's bed outside to the paramedics. The patient was transported to a nearby hospital and pronounced dead.

Across the country, nursing home residents are dying preventable deaths while health care workers are overburdened and ill protected against the pandemic. These conditions reflect the ongoing subordination of public health to the interests of private profit. They underscore the need for the Global Workers' Inquest into the COVID-19 Pandemic that the World Socialist Web Site initiated in November 2021.

The inquest is documenting and publicizing the disastrous response of world governments to the pandemic. It will reveal the underlying economic and political considerations that have created this disaster. The invaluable information uncovered by the inquest will enable the working class to develop the response necessary to save lives, end the pandemic and hold the responsible parties to account. We urge all workers who are willing to participate to contact us today by filling out the form at the end of this article.



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