

# United States Senate

WASHINGTON, DC 20510-2709

May 5, 2021

The Honorable Ron Wyden  
Chairman, United States Senate Committee on Finance  
219 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Wyden,

We ask that the Senate Finance Committee immediately open an investigation into New York Governor Andrew Cuomo's reported cover-up of the nursing home death toll during the COVID-19 pandemic and hold a hearing on this important topic.

Media reports have discussed the possibility of a cover-up for weeks, and on April 28<sup>th</sup>, *The New York Times* [reported](#) that Governor Cuomo's cover-up "was far greater than previously known, with aides repeatedly overruling state health officials over a span of at least five months... Mr. Cuomo's most senior aides engaged in a sustained effort to prevent the state's own health officials... from releasing the true death toll to the public or sharing it with state lawmakers..." Governor Cuomo's administration reportedly knew that over 9,000 nursing home residents had died of COVID-19 by May 2020 —approximately 35 percent of the state's total COVID deaths. However, Governor Cuomo's administration publicly claimed that just 21 percent of COVID deaths were in nursing homes. This is horrifying and unacceptable.

While we appreciate the hearing this committee held in March on the issue of COVID-19 nursing home oversight and the investigation that the U.S. attorney in Brooklyn and the FBI have opened into the actions of the Cuomo administration, more must be done. Approximately 1.2 million of our nation's seniors live in nursing homes and are disproportionately at risk of severe illness and death from COVID-19. Medicaid is the primary payer for [62 percent](#) of nursing home residents and Medicare is the primary payer for another 12 percent. This committee has direct oversight on this issue and a responsibility to act when HHS is unable to do its job due to a state deliberately misleading investigators or health officials. Nursing homes have been held accountable for failures to report coronavirus disease data to CMS, and state leaders should be as well.

For these reasons, we ask that you open an investigation and hold a committee hearing on New York's cover-up of nursing home deaths. Transparency and accountability are not partisan aims and must be taken seriously by this committee.

Sincerely,

Ben Sasse

Ben Sasse

Chuck Grassley

Chuck Grassley

Tim Scott

Tim Scott

John Barrasso

John Barrasso

James Lankford

James Lankford

John Thune

John Thune