

# Congress of the United States

## House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

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WASHINGTON, DC 20515-6143

Majority (202) 225-5074  
Minority (202) 225-5051

May 19, 2023

The Honorable Phil Murphy  
Governor of New Jersey  
Office of the Governor P.O. Box 001  
Trenton, NJ 08625

Dear Governor Murphy:

The Select Subcommittee on the Coronavirus Pandemic is investigating how the State of New Jersey implemented federal guidance from both the U.S. Centers for Medicare and Medicaid Services (CMS) and U.S. Centers for Disease Control and Prevention (CDC) regarding protecting residents in nursing homes and other long term care facilities. Since June 15, 2020, Republicans on the Select Subcommittee on the Coronavirus Crisis have been investigating this reckless and deadly decision.<sup>1</sup>

The Select Committee's goal is to ensure accountability and transparency, inform future public health decisions, and provide some semblance of closure to the thousands of families that lost loved ones because of COVID-19 in nursing homes and other long term care facilities. Therefore, your documents and testimony are essential to informing the Committee about the science and information used to inform these policy decisions.

To assist the Select Subcommittee with its investigation, please produce the following documents and information as soon as possible but no later than June 2, 2023:

1. All State issued guidance, directives, advisories, or executive orders regarding hospital discharges to nursing homes or any and all other types of assisted living facilities, including those previously superseded, in chronological order.
2. The total number of COVID-19 related nursing home deaths, including deaths that occurred at the nursing home and deaths of a registered nursing home patient at a hospital, by day between January 1, 2020 and present.

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<sup>1</sup> Letter from Hon. Steve Scalise, et. al., Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Phil Murphy, Governor, N.J. (June 15, 2020); Letter from Hon. Steve Scalise, et. al., Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Gurbir S. Grewal, Attorney General, N.J. (June 25, 2020).

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3. The total number of COVID-19 related nursing home positive cases, including individuals who tested positive at a nursing home and individuals who tested positive at a hospital, by day between January 1, 2020 and present.
4. The total number of confirmed or suspected COVID-19 positive patients returned or admitted to a nursing home or other long-term care facility between March 18, 2020 and present.
5. All documents and communications regarding the document issued by the New Jersey Department of Health on March 31, 2020, titled, "Hospital Discharges and Admission to Post-Acute Care Settings."
6. All documents and communications between the Office of the Governor and the New Jersey Department of Health regarding COVID-19 mitigation in nursing homes and other long-term care facilities.
7. All documents and communications between the New Jersey Department of Health and any and all of the State's Nursing Home Administrators relating to the implementation of the March 31 order.

The Select Subcommittee on the Coronavirus Pandemic is authorized to investigate "the implementation or effectiveness of any Federal law or regulation applied, enacted, or under consideration to address the coronavirus pandemic and prepare for future pandemics" and "executive branch policies, deliberations, decisions, activities, and internal and external communications related to the coronavirus pandemic" under H. Res. 5. To ask any follow-up or related questions, please contact Select Subcommittee on the Coronavirus Pandemic staff at (202) 225-5074.

Thank you for your attention to this very important matter.

Sincerely,



Brad R. Wenstrup, D.P.M.

Chairman

Select Subcommittee on the Coronavirus Pandemic

cc: The Honorable Raul Ruiz, Ranking Member  
Select Subcommittee on the Coronavirus Pandemic