

Congress of the United States
House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

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

May 19, 2023

The Honorable Andrew M. Cuomo
Former Governor
State of New York
[TRANSMITTED VIA EMAIL]

Dear Mr. Cuomo:

The Select Subcommittee on the Coronavirus Pandemic is investigating how the State of New York 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, Select Subcommittee Republicans have sent you, in your capacity as Governor of New York, or your former Administration five letters. To date, you have failed to respond. Your testimony is important to uncover the circumstances and policies which led to the death of more than 15,000 New York nursing home residents during your tenure. The victims' families deserve to know the truth.

Therefore, we request you testify via an in-person transcribed interview. Accordingly, Select Subcommittee staff will contact you to schedule the interview reserving the right to conduct follow-up interviews if necessary to further our investigation.

In addition to your testimony, we request any of the following documents and information that remain in your custody or control, including any responsive records retained in your personal e-mail(s) or cell phone(s) as soon as possible but no later than June 2, 2023:

1. All documents and communications regarding the advisory issued by the New York State Department of Health on March 25, 2020, titled, "Advisory: Hospital Discharges and Admission to Nursing Homes."
2. All documents and communications regarding the report issued by the New York State Department of Health on July 6, 2020, titled, "Factors Associated with Nursing Home Infections and Fatalities in New York State During the COVID-19 Global Health Crisis."

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3. All documents and communications regarding the report issued by the New York Attorney General on January 28, 2021, titled, "Nursing Home Response to COVID-19 Pandemic."
4. All documents and communications regarding the request for information by the U.S. Department of Justice on August 26, 2020, regarding the Civil Rights of Institutionalized Persons Act.

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



Nicole Malliotakis

Member of Congress

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