

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

December 1, 2023

Mr. Kyle Olson
President
The Olson Group, Ltd.
11 Canal Center Plaza
Suite 103
Alexandria, VA 22314

Dear Mr. Olson:

The Select Subcommittee on the Coronavirus Pandemic (Select Subcommittee) 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.

On March 25, 2020, former New York Governor Andrew Cuomo issued guidance that stated, “[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 “[nursing homes] are prohibited from requiring a hospitalized resident...to be tested for COVID-19 prior to admission or re-admission.”¹ The State’s misguided “must admit” order unjustifiably exposed society’s most vulnerable to COVID-19, causing predictable but disastrous consequences.

The Olson Group was reportedly awarded a \$4.3 million contract by Governor Kathy Hochul to investigate the New York’s pandemic response, which, presumably included a formal review of the disastrous nursing home order.² It now has been more than a year since the Olson Group’s appointment and yet there’s still no report publicly available to the citizens of New York and families of those who lost loved ones because of the order.

The Select Subcommittee’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. To assist the Select Subcommittee with its investigation, we request the following documents and information as soon as possible but no later than December 15, 2023:

¹ Memorandum from the New York State Department of Health to Nursing Home Administrators, et. al., *Advisory: Hospital Discharges and Admissions to Nursing Homes* (Mar. 25, 2020) (on file with Comm. Staff).

² Carl Campanile, *Gov. Hochul slammed for timing of probe into Cuomo’s COVID response*, N.Y. POST (Nov. 4, 2022).

1. The Olson Group's final report produced to the State of New York.
2. All drafts of the Olson Group's report produced to the State of New York.
3. All documents and communications between or among employees or contractors of the Olson Group regarding or relating to its investigation into the State of New York's response to the COVID-19 pandemic.
4. All documents and communications between or among employees or contractors of the Olson Group and employees or contractors of the State of New York, including but not limited to the Office of the Governor and the New York State Department of Health, regarding or relating to the Olson Group's investigation into the State of New York's response to the COVID-19 pandemic.

The Select Subcommittee 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" under H. Res. 5. To ask any follow-up or related questions, please contact Select Subcommittee staff at (202) 225-5074.

Thank you for your attention to this very important matter.

Sincerely,



Brad Wenstrup, D.P.M.
Chairman
Select Subcommittee on the
Coronavirus Pandemic



Nicole Malliotakis
Member of Congress

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