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February 25, 2021

The Honorable Norris Cochran
Acting Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Acting Secretary Cochran:

I write today to encourage you to investigate the mortality rate in nursing homes due to the coronavirus pandemic. As you know, COVID-19 has a high fatality rate for the elderly and can spread rapidly through closed systems such as nursing homes. In a recent study done by the AARP, nearly 40% of all COVID-19 deaths have occurred in long-term care facilities.

It is critical that we have accurate reporting information on the morbidity and mortality rates since the pandemic began. According to a report released by New York Attorney General Letitia James, New York nursing home deaths could be undercounted by approximately 50%. This is primarily due to the fact that the state excluded nursing home residents who died off-site or at hospitals. In her report, Attorney General James highlights New York's guidance requiring the readmission of COVID-19 positive patients into nursing homes which led to increased spread of the virus throughout those nursing homes.

I am deeply concerned by recent comments made by Melissa DeRosa, a top aide to Democrat Governor Andrew Cuomo. Ms. DeRosa admitted to "freezing the numbers" due to her concern that they would be "used against us." Furthermore, Ms. DeRosa was concerned that President Trump would "turn this into a giant political football" and use his Twitter to "tweet that we killed everyone in nursing homes." She then pointed out that President Trump could have the Department of Justice investigate and expressed concern that lawmakers would "share information with the Department of Justice." The admission of a cover-up by Governor Cuomo's administration reveals the serious underreporting of nursing home deaths in New York, and potentially throughout the United States.

I am gravely concerned that nursing home reporting has been purposefully falsified to fit a political narrative. Negligence on behalf of any governor in America is cause for concern and we cannot allow governors, who received praise for their leadership, to hide their failures. I am deeply concerned that the Department of Health and Human Services has not established consistent reporting mechanisms that states must adhere to.

The Department of Health and Human Services must investigate this issue without political bias and provide accurate guidance to states for reporting mortality rates. In order to effectively plan for future

pandemics, and to raise the quality of care in nursing homes, accurate data is necessary. We must determine whether specific state policies, such as New York's, to send COVID-19 positive patients back into nursing homes led to higher mortality rates. Finally, we must update safety standards and establish guides to prevent this from happening again.

I look forward to your prompt reply.

Sincerely,

A handwritten signature in blue ink that reads "Doug Lamborn". The signature is written in a cursive, flowing style.

Doug Lamborn
Member of Congress