



For Immediate Release:
May 18, 2021

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**LEADINGAGE NEW YORK CALLS ON HEALTH DEPARTMENT TO
REVISE TESTING AND REPORTING REQUIREMENTS AT
NURSING HOMES AND ADULT CARE CENTERS**

As New York State's COVID community infection rates decline and vaccination levels increase, LeadingAge New York is calling on the state Department of Health to revise its COVID testing and reporting requirements for long-term care providers.

In a letter advanced on May 17 to Health Commissioner Howard Zucker, LeadingAge New York urges DOH to follow federal guidance and eliminate weekly and twice-weekly testing of vaccinated and recently recovered nursing home and adult care facility (ACF) staff.

James W. Clyne Jr., President and CEO of LeadingAge New York, additionally linked this action to a path to counter vaccine hesitancy: "Eliminating serial testing for these personnel would create a strong incentive for hesitant staff to accept the vaccine and would align with the scientific research and the Centers for Medicare and Medicaid Services (CMS)/Centers for Disease Control and Prevention (CDC) guidance. This would also avoid unnecessary furloughs of recovered staff who continue to test positive even though they are no longer infectious."

LeadingAge New York also requests that the state reduce the frequency and volume of data it collects from nursing homes, ACFs, certified home health agencies and hospice programs. Beginning in March 2020, nursing homes and ACFs must provide daily Health Emergency Response Data System (HERDS) reports seven days per week, 365 days per year, containing more than 100 pieces of information ranging from the total number of COVID cases to the inventory levels of personal protective equipment (PPE) to the number of staff awaiting their first and second doses of various vaccines.

"For more than a year, nursing homes and ACFs have been providing an overwhelming volume of state-level reporting on a daily basis on COVID-related issues alone," Clyne said. "Where applicable, the state should rely on similar data that facilities must report to the CDC's National Healthcare Safety Network (NHSN) system, rather than imposing duplicative state-level reporting requirements."

In the absence of a timely report, which can be deemed late if submitted more than 15 minutes past deadline, a facility operator is subject to a notice of deficiency issued by the Department of Health, resulting in fines and jeopardizing the license and standing of the facility.

"It is time for the state to follow CDC guidance on staff testing and reduce these costly and burdensome mandates so that caregivers can focus their attention on providing the best quality of life to their residents," Clyne said.

LeadingAge New York has repeatedly called on the Governor and the Legislature to make investments in New York's long-term care sector.

“While the President and Congress have taken steps to make modest investments in Medicaid through the American Rescue Plan, the recently enacted state budget for fiscal year 2021-22 contained a 1.5 percent Medicaid cut,” Clyne continued. “It makes you wonder if our state officials have any sense of the reality of the challenges facing nursing home and assisted care operators.”

LeadingAge New York's three-page letter is available for review [here](#).

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LeadingAge New York represents not-for-profit, mission-driven and public continuing care providers, including nursing homes, senior housing, adult care facilities, continuing care retirement communities, assisted living and community service providers. LeadingAge New York's more than 400 members employ 150,000 professionals serving more than 500,000 New Yorkers annually.