

# NEW JERSEY SENATE

## SENATE REPUBLICAN OFFICE

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September 3, 2020

Mr. Eric Dreiband  
Assistant Attorney General  
U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW – RFK  
Washington, DC 20530

Dear Mr. Dreiband,

We, the members of the Senate Republican Caucus, read with great interest the reports of your office's inquiry into the handling of COVID-19 in nursing homes in New Jersey and other states.

As you may know, more than 7,000 nursing and veterans' home residents died from the virus in this state alone.

Your diligence in this issue is commendable, appreciated and desperately needed.

In New Jersey specifically, the Governor's Administration has been anything but forthcoming and transparent, and the Legislature and state residents are frustrated by the lack of clarity and accountability on the part of those responsible for the health and well-being of medically fragile nursing home patients.

We are asking you to consider expanding the examination to a full investigation and utilize all the tools at your disposal to uncover the policies and failures that led to this avoidable tragedy so we can prevent a recurrence.

Since May 13, the 15 members of our caucus have been pressing for a Senate Select Committee with subpoena powers to investigate the state's handling of the pandemic, including the policies that impacted the safety of residents in long-term care facilities.

Initially embraced by the Senate Majority leadership, the measure has been ignored, and 14 weeks have been wasted.

During the pandemic, we have compiled a list of disconcerting issues. Some are presented below.

- A whistleblower inside the New Jersey Department of Health alleges misconduct within the department, including the misuse of federal funds.

- The administration failed to heed warnings and use common sense to protect our nursing and veterans' homes. Facility staff cautioned that most homes lacked the appropriate protective equipment necessary to safely care for sick residents. Were federal resources properly utilized to ensure that staff and residents were protected?
- Nursing homes were forced to accept patients known to have tested positive for COVID-19 – a policy that turned out to be a recipe for disaster. Was that contrary to federal guidance?
- Was the state improperly incentivizing nursing homes to accept COVID patients into confined buildings full of medically fragile elderly residents?
- Caregivers in state-run veterans homes were prevented by administrators from employing proper infection control protocols and went so far as to remove personal protective equipment to ensure that it could not be used by staff out of concern that it might "scare" the residents, resulting in high rates of infection and fatalities.

Our shared goals are finding answers and saving lives. We have parallel interests and similar questions.

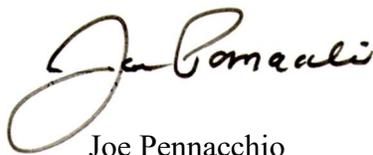
It is our hope that an investigation by your office would yield answers to some of the pressing questions that have been ignored by the Governor and his top health officials.

The families who lost loved ones in veterans and nursing homes are frustrated because they want to know what went wrong, and many thousands of vulnerable seniors remain at risk in future outbreaks.

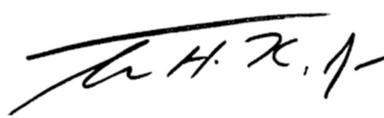
Once again, we express our appreciation and gratitude for your interest, and look forward to learning more details of New Jersey's nursing home calamity as a result of your investigation.

The lives of tens of thousands of nursing home residents are depending on us.

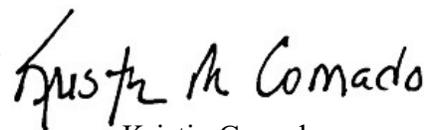
Sincerely,



Joe Pennacchio  
Whip



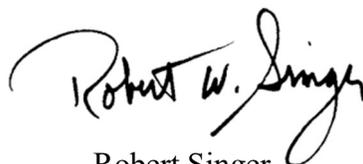
Thomas Kean  
Leader



Kristin Corrado  
Conference Leader



Kip Bateman  
Deputy Whip



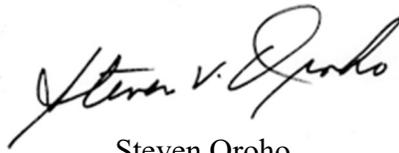
Robert Singer  
Deputy Leader



Chris Brown  
Deputy Conference Leader



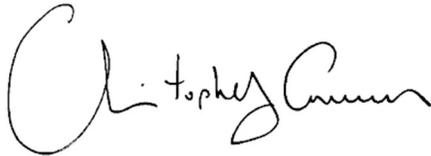
Anthony M. Bucco  
Senator – District 25



Steven Oroho  
Budget Officer



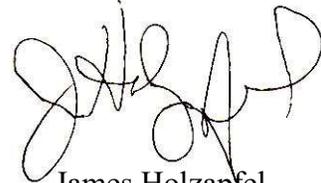
Gerald Cardinale  
Senator – District 39



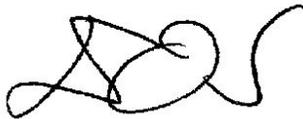
Christopher Connors  
Senator – District 9



Michael Doherty  
Senator – District 23



James Holzapfel  
Senator – District 10



Declan O'Scanlon  
Senator – District 13



Michael Testa  
Senator – District 1



Samuel Thompson  
Senator – District 12