



Empire State Association of Assisted Living

Care • Community • Connections • Every Day

November 9, 2020

Hon. Andrew Cuomo
Governor of the State of New York
Executive Chamber
State Capitol Albany NY 12224

Dear Governor Cuomo:

As Executive Director of the Empire State Association of Assisted Living (ESAAL) which represents more than 300 licensed Adult Care Facilities/Assisted Living Residences/Assisted Living Programs (hereafter, "ACFs"), I write for two reasons:

First, we **thank you** for the November 4th Health Advisory allowing for the reopening of hair salons in ACFs. I cannot overemphasize the boost in morale and well-being this has given our senior residents and their families. For our part, ESAAL will continually promote to our members the importance of strict and fervent infection control measures so that hairstyling services are provided safely.

Second, we ask the State to provide ACFs with a supply of the Abbott BinaxNOW COVID-19 Ag Cards for use to meet their weekly employee/personnel testing obligation. The federal government has provided a limited supply of the tests to some ACFs—those that currently hold a Limited Service Laboratory Registration (also referred to as "CLIA"). However, the number of tests provided to ACFs is far short of what is needed, and it is unknown if or when they will receive additional shipments from the federal government. ACFs are unable to access the tests directly from Abbott Pharmaceuticals as the company indicates that it has committed all its supply to the federal government until at least the end of the year. We therefore respectfully request that New York State support ACFs and their residents by providing the test cards from its stockpile as it has been doing with the PCR test.

ACFs do not currently provide health care services directly to their residents. Yet since the onset of COVID-19 ACFs have been expected to perform testing and to pay for it. While early on some laboratories were billing for test processing under the CARES Act and/or some health insurance companies were covering the weekly testing, that is no longer the case and ACFs are facing insurmountable laboratory bills. At an average of \$80-\$100 per test, per week, the PCR tests are simply cost prohibitive. Use of the Abbott test will significantly help to contain the hemorrhaging costs related to this pandemic. Moreover, while somewhat improved, turnaround time for PCR test results continues to result in days of unnecessary exposure risk for our residents and staff. Access to, and use of, the rapid Abbott BinaxNOW COVID-19 Ag Cards makes ACF residents safer.

We hope that you will seriously consider this request and respond with a commitment to help the 50,000+ seniors living in ACFs around our great state. Thank you for your attention.

Sincerely,

Lisa Newcomb
Executive Director

cc. Dr. Howard Zucker; Melissa DeRosa

Empire State Association of Assisted Living

646 Plank Road, Suite 207, Clifton Park, NY 12065

P: 518-371-2573 • F: 518-371-3774 • W: www.esaal.org