



Empire State Association
of Assisted Living
Care • Community • Connections • Every Day

November 23, 2020

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

Re: vaccination prioritization and need for Abbott BinaxNOW COVID-19 Ag Cards

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") serving 30,000+ seniors, I write for two reasons:

First, there is widespread reporting that states may receive the first round of vaccine doses within the next several weeks and they will be prioritized for healthcare and frontline workers. ACFs are congregate residential settings for frail seniors and it is critically important that all their employees be provided the vaccine in that very first distribution. As you and many other government officials have reported, the vast majority of positive COVID cases occur because staff bring the virus into the building. **All these employees---nurses, resident care aides, food service, recreation, and maintenance---must have access to the very first round of the vaccine doses so that we can prevent infection of our treasured frail seniors.**

It is also reported that the seniors themselves living in congregate settings will be next in line for the vaccine once provided to healthcare and frontline workers. In the early stages of the pandemic, other segments of the health care system were prioritized before ACFs in terms of PPE distribution and other support. **While we know that the prevalence of resident infection and death is higher in nursing homes than in ACFs, our residents are incredibly susceptible to the virus and should not be second in line.** This will not only protect their physical health but also their mental well-being as, over time, they will be able to safely receive family visits and leave the ACF for outings.

Second, on November 9th we wrote to you requesting that the State provide ACFs with 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, but it is far short of what is needed. The federal government has indicated that the US Department of Health and Human Services reviews epidemiological data on a bi-weekly basis in order to ensure tests are directed to areas with greatest need and facilities may be added to or removed from the distribution based on these data. As a result, there is not an adequate and reliable pipeline of these tests. **ACFs need the state to assist us in securing a consistent supply of tests, especially as New York is now experiencing an increase in COVID-19 in some communities. On behalf of our members, I respectfully request your urgent assistance; as you know, once the community rate increases, without adequate testing, the risk of the disease coming back into our facilities rises as well. Moreover, the financial strain placed on ACFs during the pandemic has some facing closure. These ACFs simply cannot sustain the exorbitant weekly costs: It is breaking their backs. Any financial assistance as well as a supply of the Cards that you could provide would address a dire need.**



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Thank you for your consideration of these two critical matters for ACF residents and staff.

Sincerely,

Lisa Newcomb
Executive Director

cc. Dr. Howard Zucker; Melissa DeRosa

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