



**U.S. Department of Justice**

**Civil Rights Division**

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*Assistant Attorney General  
950 Pennsylvania Avenue, NW - RFK  
Washington, DC 20530*

August 26, 2020

The Honorable Andrew Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Dear Governor Cuomo:

I write to request information regarding COVID-19 and nursing homes run by, or for, the State of New York, as defined in more detail hereafter. The Civil Rights Division of the Department of Justice enforces the Civil Rights of Institutionalized Persons Act (CRIPA). *See* 42 U.S.C. § 1997. The Division is evaluating whether to open a CRIPA investigation of institutions “providing skilled nursing, intermediate or long-term care, or custodial or residential care” that are “owned, operated, or managed by, or provide[] services on behalf of [New York] or [a] political subdivision of [New York]” (“Public Nursing Homes”).

To help us make this determination, the Division respectfully requests the following documents and information for each Public Nursing Home. Data should be provided on a Public Nursing Home-specific basis for each Public Nursing Home in the state.

1. The number of Public Nursing Home residents, employees, other staff, guests, and visitors who contracted COVID-19, regardless of where such persons contracted COVID-19.
2. The number of Public Nursing Home residents, employees, other staff, guests, and visitors who died of COVID-19 including those who died in a Public Nursing Home or after being transferred to a hospital or other medical facility, hospice, home care, or any other location.
3. All State-issued guidance, directives, advisories, or executive orders regarding admission of persons to Public Nursing Homes, including those previously superseded, as well as the dates each such document was in effect.
4. The number of persons who were admitted to a Public Nursing Home from a hospital or any other facility, hospice, home care, or other location after testing positive for COVID-19 during the period the guidance or orders were in effect.

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We have not reached any conclusions about this matter. In the Division's many years of enforcing CRIPA, the good faith efforts of state, county, or local jurisdictions working with us have enabled us to resolve many matters amicably. We request the above information within 14 days.

If you have any questions, please contact our office.

Sincerely,

*Eric S. Dreiband*

Eric Dreiband  
Assistant Attorney General  
Civil Rights Division