



NEW JERSEY SENATE

SENATE CHAMBERS

P.O. Box 099

TRENTON, NEW JERSEY 08625-0099

August 20, 2020

Honorable Judith Persichilli  
Commissioner, Department of Health  
P.O. Box 360  
Trenton, NJ 08625-0360

Dear Commissioner Persichilli,

It has been three months since my letter requesting clarity on how deaths of long-term care facility residents and staff due to COVID-19 are accounted for on the state's dashboard and in other reporting.

This letter is a follow up to that correspondence of May 13. We have never received the written response that was requested.

Today, I once again seek answers and clarification as the Legislature considers action to prevent any repeat of the calamity that has already taken the lives of 7,000 seniors trusted to the care of state the state's long-term care facilities and veterans' homes.

The testimony provided by witnesses during the joint meeting of the Senate Health, Human Services and Senior Citizens Committee and the Assembly Aging and Senior Services Committee was horrifying and heartbreaking.

As an elected legislator, my requests to you for information reflect the questions and concerns of thousands of New Jersey families who lost loved ones to this crisis or who want to ensure that the facilities are safe for the residents that remain.

None of us are comfortable with the notion that elderly residents of state-run facilities may remain in jeopardy and vulnerable to another outbreak of coronavirus or some other dangerous pathogen.

New Jersey state residents, many of whom were prohibited from visiting their loved ones while COVID-positive patients were quietly being introduced into unprepared and under-staffed facilities.

The lack of transparency throughout the now five-month-long pandemic further contributes to the distrust and worry.

Please provide my office, on behalf of the residents of New Jersey, responses to the following:

1. Provide clarification of how COVID deaths are calculated and attributed to LTC facilities.
2. Explain why nursing home patients who contracted the virus in isolation and became so sick they required hospitalization and died were not included in nursing home totals.

3. Did the State provide financial incentives to nursing homes to accept COVID patients into confined buildings full of medically fragile elderly residents?
4. Clarify why a closed, confined space like a prison was regarded as a danger to prisoners and a confined space in a nursing home, with a more frail and vulnerable population, was not.
5. LTC staff who contracted the virus and died were not counted as LTC COVID casualties. Why not?
6. Although the USS Comfort, the Javits Center, and other field hospitals were available, New Jersey chose not to use them. Why? Why didn't New Jersey utilize their medical professionals?

This information will help me, as a legislator, to better understand the problems faced by health care workers and your department, and legislative options that could help save lives and ensure the health of our senior citizens.

Commissioner, public policy, especially when it involves the deaths of 7,000 of our seniors, demands transparency and public scrutiny. I would hope you agree. The question, of course, is when?

I look forward to and welcome your written response.

Sincerely,



Senator Joe Pennacchio  
26th Legislative District