

Vivian Rivera Zayas

VoicesForSeniors – Co-Founder

Hearing Examining The Impact Of The Coronavirus In Nursing Homes

September 21st, 2022

Thank you for the opportunity to share our mothers, Ana Martinez's story and also stand to represent thousands of New York's elderly who lost their lives in various long term care facilities throughout our state and nation. Our organization, Voices For Seniors, consists of grieving and frustrated loved ones directly impacted by the Coronavirus in nursing homes especially during the height of the pandemic.

Our mother Ana Martinez was there for the treatment of a minor wound and only expected a 4-week stay. My sister and I visited her every day despite expecting her stay at Our Lady of Consolation in West Islip, NY, would be a short one. As four weeks turned into three months, we began insisting she be discharged home. She was homesick and very sad at what was supposed to be a very brief stay in the nursing home to receive physical therapy turned into a never ending saga. We had a difficult time receiving assistance from the nursing home staff to facilitate her discharge, our calls weren't returned and messages weren't answered. A week later and now the week of March 11th, 2020 we get a phone call telling us they were going to shut down the facility to visitors for at least two weeks. However, three weeks later our mother was dead.

Every day we recount the days we could not be at our mother's side to advocate for her, in a nursing home that stated they had taken every precaution in place to care for her, while our Governor's mandated, they accept Covid positive patients without testing. Many nursing homes are cited repeatedly for not having proper infectious disease controls in place with no severe penalties for their failure to comply. So mandating Covid positive patients be accepted in light of this defies logic. The thought process of not discriminating against a few Covid positive patients (at least in New York) at the expense of the Covid free residents as a whole is dangerous and negligent.

My mother and many others contracted the virus at the nursing home. Today we are still under the belief that she was unaware and uninformed as to what was happening to her. As someone who spoke limited English, it appears as she was not informed as to her condition as she never shared that information with us who were always her best advocates. Our mother became ill and when we detected something was wrong – and our mother was too ill to speak on the phone – the staff continued to reassure us that she was "fine". We got a call that she was going home on, Friday, March 27th, 2020, despite showing all the symptoms of Covid except for the fever, without telling us she had it or was suspected to have had Covid the day of her discharge she was gravely ill, unable to speak and the facility continued to downplay her condition and failed to send her to the hospital promptly when they were unable to adequately provide care.

Since her unnecessary passing, we have heard countless stories of others who are enduring the pain of seeing their loved ones neglected and treated poorly in long term care facilities. Compounding the issue is being afraid that if you are too vocal about the problems there will be retaliation and repercussions against the resident and their caregivers by staff and nursing home administrators.

Covid 19 has helped shed a light that while immunity is given to the owners, directors, and staff -- - it is the resident – our vulnerable elderly population that are not immune from abuse, neglect, and dismal care with no family or recourse.

An unnecessary amount of death and carnage was inflicted on our vulnerable long-term care residents by the mandates to take in Covid positive patients, to the inadequate levels of staffing and infectious disease protocols that many facilities, time and time again failed to put in place were a true recipe for disaster. If that weren't enough families have been stripped of their rights to visit their loved ones, and are often lied to and misled by the very leaders and staff -- charged with the duty to keep them safe. We are here to ask that a true and sincere evaluation of our nursing homes takes place, taking into account the input and voices of families like my own and that finally, the seniors and other residents in our nation will no longer get the short end of the stick.

Sincerely,

Vivian Rivera-Zayas and Alexa Rivera
www.voicesforseniors.com

How can the situation be improved:

1. Pass the Essential Caregiver Act (H.R. 3733)
2. Stricter laws and **mostly penalties and enforcement** of lack of infectious disease protocols.
3. Give families more rights to protect us from retaliation.
4. Provide pay for the Ombudsman and give them INDEPENDENT authority and autonomy to be able to report neglect and abuse.
5. The state Departments of Health do nothing to help families prevent abuse in Nursing Homes so more in the area of more investigations and ENFORCEMENT to protect long term care residents is needed.