



State of Connecticut

SENATE

STATE CAPITOL
300 CAPITOL AVENUE
HARTFORD, CT 06106-1591

SENATOR KEVIN KELLY
TWENTY-FIRST SENATE DISTRICT

Capitol: (860) 240-8800
Toll Free: (800) 842-1421
Fax: (860) 240-8306

E-Mail: Kevin.Kelly@cga.ct.gov
Website: www.SenatorKevinKelly.com

RANKING MEMBER
AGING COMMITTEE
COMMITTEE ON CHILDREN
INSURANCE & REAL ESTATE COMMITTEE

MEMBER
REGULATION REVIEW COMMITTEE

June 9, 2020

Governor Ned Lamont
Office of the Governor
210 Capitol Avenue
Hartford, CT 06106

Governor Lamont:

I am writing today regarding your announcement ordering an independent analysis of COVID-19 in Connecticut's nursing homes and assisted living facilities.

As the state plans to investigate nursing homes and assisted living facilities, we also need to investigate the state's role in its response to the COVID-19 pandemic and how that role impacted the spread of the virus throughout these facilities. While I agree that we need a closer and more detailed look at nursing home facilities, we also need the same level of scrutiny on the state's response. This investigation cannot be about making one party a scapegoat. It needs to be a truly comprehensive review of all those who had a responsibility to protect the state's most vulnerable residents so that we can make sure what happened over the last few months never happens again.

Just as nursing home and assisted living facilities had an obligation to do everything in their power to protect residents, the state had an equal if not greater role to ensure that Connecticut's vulnerable elderly residents were protected. The state had greater powers to obtain personal protective equipment (PPE) and support all nursing homes and assisted living facilities to ensure that those most susceptible to the virus were properly protected. The experience of Italy and Washington state showed that elderly residents and nursing home facilities in particular were the most vulnerable places for residents highly susceptible to the virus with devastating outcomes. Yet despite that, seniors in nursing homes remained vulnerable in Connecticut as demonstrated by reported national data from the end of March which showed that approximately 10% of all nursing home deaths in the U.S. were in CT nursing homes, and almost 14% of the infections nationwide were in CT nursing homes.

Just as we need to look at nursing home policies, we also need to look at state policies overseeing the response in these facilities. What did state government do in the early days of the pandemic to support nursing homes? What did the state do to provide access to PPE? What was the state's policy for purchasing PPE? Did that policy change at any point? Did that policy result in not enough PPE being purchased for the state? What did the state do to determine which facilities did not have access to PPE? Was any of the state's strategic stockpile of PPE provide to nursing homes? If so, when? What was the timeline and how quickly did the state act? How was information communicated between the state and nursing homes? The answers to these questions will help us

determine what needs to be done differently to prevent such a tragic situation from ever overtaking our elderly community again.

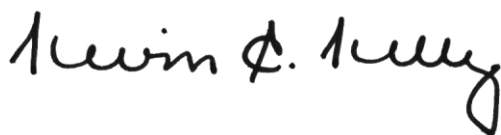
Your press release yesterday indicated that before you plan to solicit proposals from third parties to conduct a review, you plan to collaborate with the legislature to develop a scope for this investigation. If this is going to be a "top to bottom" review, the scope needs to look not only at the role of nursing homes and assisted living facilities, but also the role of the state.

We also need answers quickly. The heartbreaking situation so many families across our state are facing as a result of the rampant spread of this virus in nursing home facilities is unacceptable and we need to do better as a state. For many families, they have already lost their loved ones and nothing we do today can change the pain they are experiencing. But we must take steps to make sure our state is better prepared if another outbreak occurs. If a second outbreak is projected to possibly occur in the fall, we need answers as soon as possible so that changes can be made immediately to get ahead of the situation, and not fall behind again.

Finally, I also ask that whatever group is selected to perform this independent analysis be required to report their findings to the legislature throughout their investigation. In recent months public trust has been shaken by certain public-private partnerships that have not operated with full transparency. We have the Partnership for Connecticut which was recently disbanded after facing heavy criticism for being exempt from the state's freedom of information laws. We also have seen the administration bring in the Boston Consulting Group to oversee the state's reopening, and legislative leaders continue to wait for a response to our freedom of information requests on how this out-of-state firm is making decisions that impact our constituents' lives. The legislature represents the voices of our constituents, and those voices need to be part of conversations. Members of the public are the ones who are seeing the devastating issues firsthand. We need to hear their voices and understand their experiences to better understand the problems so that we can develop the right solutions. I believe it would be beneficial for the legislature to also conduct a parallel investigation. At the same time, sharing the information an independent group of experts uncovers throughout their investigation is vital to helping us understand the problems as quickly as possible so that they can be addressed, and lives can be saved.

Thank you for your time and attention and consideration of this proposed scope of investigation.

Sincerely,

A handwritten signature in black ink that reads "Kevin D. Kelly". The signature is written in a cursive style with a large, looped "K" and a distinct "y" at the end.

Kevin Kelly
State Senator

cc: Paul Mounds, Chief of Staff