



**VIA EMAIL**

April 21, 2020

The Honorable Tom Wolf  
Pennsylvania Office of the Governor  
225 Capitol Building  
Harrisburg, PA 17120

**Re: Transparency of COVID-19 Outbreaks in Pennsylvania Nursing Homes and Long-Term Care Facilities**

As the number of coronavirus cases continues to climb throughout the Commonwealth, we write to request that your administration increase transparency related to congregate care locations with COVID-19 outbreaks. We are requesting that your administration publicly release a list of the names and locations of nursing homes, assisted living facilities, and personal care homes with COVID-19 positive residents and/or staff as well as the number of deaths at each facility.

To date, half of the COVID-19 deaths across Pennsylvania have occurred in long term care facilities, but the list of publicly available information remains nearly impossible to identify.<sup>1</sup> Access to these settings is severely limited during the pandemic as family members and licensing inspectors are not on site.

Families are instead forced to rely on providers sharing information, but the providers are not required to share information about outbreaks with family members or guardians. There are heartbreaking stories across the country of families who have had loved ones die of COVID-19 without knowing there was an outbreak in the facility. If the family members had been

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<sup>1</sup> <https://www.pennlive.com/news/2020/04/pa-nursing-homes-largely-police-themselves-as-coronavirus-deaths-mount.html>

informed, they would have been able to choose whether to bring them home. At the state level, this is a shocking lack of transparency during a pandemic that poses a more significant threat to individuals who reside in these long-term care settings.

We are encouraged that this weekend, the Centers for Medicare and Medicaid Services announced a new regulatory requirement that will require nursing homes to notify residents and family members of COVID-19 in the facility.<sup>2</sup> While this no doubt will help the individuals and families of current residents, this does not help the public at large when families face these placement decisions.

This is not just about families with loved ones currently residing in these facilities, it also affects families and individuals across the Commonwealth who continue to need access to long-term care for loved ones who are unable to remain at home or are being discharged from a hospital and need rehabilitation to regain skills. People cannot make informed placement decisions without knowing whether a facility has implemented successful infection control procedures during a pandemic.

Pennsylvania has unique demographic challenges related to COVID-19, with an aging population and the sheer number of long-term care facilities. As of April 21, 396 of the roughly 1900 facilities in the Commonwealth had outbreaks with 5026 residents and 572 staff testing positive.<sup>3</sup> This release of data by the Department of Health is an improvement but does not go far enough.

Other states have moved toward transparency and are releasing the lists of long-term care facilities with outbreaks including Ohio, Kentucky, Minnesota, and Washington, DC. This weekend California and Florida also released information about facilities with COVID-19. Pennsylvania has an opportunity to be a leader in transparency. It is critical that your administration release the list of facilities with COVID-19 positive residents and/or staff and the number of deaths at each facility.

We thank you for consideration of this request. We believe it is a critical step forward for the residents and families and to ensure the continued

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<sup>2</sup> <https://www.cms.gov/files/document/qso-20-26-nh.pdf>

<sup>3</sup> <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Cases.aspx>

health and safety of seniors and people with disabilities across the Commonwealth. Please contact Jennifer Garman, Director of Government Affairs at [jgarman@disabilityrightspa.org](mailto:jgarman@disabilityrightspa.org) with questions or to discuss this request.

Sincerely,

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