

April 14, 2020

The Honorable Gavin Newsom  
Governor  
State Capital Suite 1173  
Sacramento, CA 94249  
(via Email)

Dear Governor Newsom,

As a former nurse and San Francisco-based human rights activist and attorney, I call upon you to take emergency actions to help prevent further and unnecessary COVID-19 outbreaks and loss of life in California's long-term care facilities. California's long-term care residents are overwhelmingly elderly, fragile and extremely vulnerable to the virus because of their chronic diseases and disabilities. Staff is too often overworked, underpaid and poorly trained. Nursing home attendants and other direct care staff remain inadequately prepared to protect themselves or their patients.

In numbers growing every day, residents are suffering and dying alone without family or friends, being hospitalized or being evacuated from unstaffed facilities. On April 8th, Coronavirus infections had been reported in 121 long term facilities in Los Angeles. Of the 169 reported deaths in Los Angeles as of April 7th, 36 individuals or 21% of the decedents had been residents of long-term care facilities. Today, that rate of mortality is approaching 30%. Following the deaths of seven residents on April 8th, more than 80 patients from a Riverside skilled nursing facility were evacuated after staff failed to report for work. On April 9th it was reported that 65 residents and staff at Gateway Care and Rehabilitation center in the East Bay City of Hayward were confirmed to have the COVID-19 infection.

As you know, the virus has also broken out in Sacramento, Pacifica, Orinda and San Francisco, with no end in sight. Last Friday you acknowledged the growing concern over the outbreaks among the most vulnerable Californians. We were informed that there were 1,224 senior care facilities being monitored by health officials and reporting infections of 191 elders. Among those sites reporting Coronavirus, we learned that 1,266 individuals staff members and residents have tested positive. You noted the existence of specific facilities that have become hot spots for the virus and that a disproportionate number of elderly residents are tragically passing away and called for infectious disease control SWAT teams to stem the deadly outbreaks. I am grateful for this step forward yet there is so much more to do and no time to waste.

In order to protect California long-term care residents from unnecessary harm from this deadly virus, I urge you to fully and swiftly implement the Emergency Action Plan developed by California Advocates for Nursing Home Reform. A critical first step is to refrain from introducing this deadly virus into skilled nursing facilities whenever possible. San Francisco is beginning to ignore this basic safety and infectious disease control principle. The San Francisco Campus for Jewish Living, a 378-bed nursing home in San Francisco has reportedly begun accepting patients with the deadly virus. The admissions started after the California Department of Public Health issued an order requiring skilled nursing facilities to treat infected patients - unless the facility cannot provide the proper isolation and personal protective equipment for

frontline workers. Administrators cannot guarantee that staff would not be shared with the unaffected. Some facility owners are reportedly discharging Medicaid residents so they can bring in Medicare COVID-19 patients in order to receive higher payments, seeing the virus as a revenue opportunity.

Governor Newsom, I respectfully request that you immediately order existing facilities to refuse admission to any outside patients with the infection. It is too dangerous to do otherwise. When the virus enters nursing homes, it is highly likely to spread and kill residents despite precautions. Essential public policy initiatives should instead include eliminating delays in establishing COVID-19 only post-acute facilities, providing sufficient testing of staff and residents, and ensuring transparency regarding reporting rates for infection and the discharge or transfer of patients.

Sincerely,  
Colette I. Hughes

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cc: Mayor London Breed, State Senator Scott Wiener, Assembly Member David Chiu