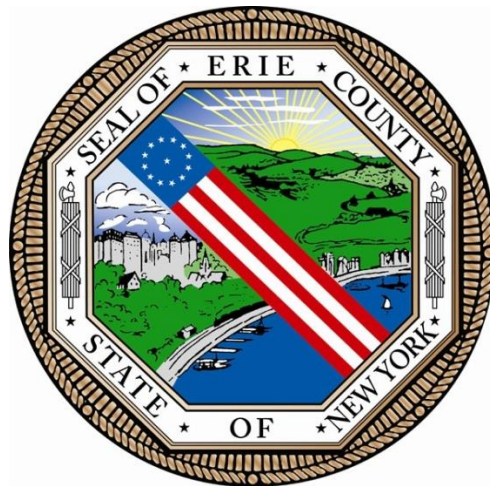


**June 2020**

**A Report Compiling Information Regarding  
Nursing Homes and COVID-19**



**STEFAN I. MYCHAJLIW  
ERIE COUNTY COMPTROLLER**

---

**HON. STEFAN I. MYCHAJLIW  
ERIE COUNTY COMPTROLLER'S OFFICE  
DIVISION OF AUDIT & CONTROL  
95 FRANKLIN STREET  
BUFFALO, NEW YORK 14202**

**June 3, 2020**

Erie County Legislature  
92 Franklin Street 4<sup>th</sup> Floor  
Buffalo, New York 14202

Dear Honorable Members:

New York State has been impacted by COVID-19 more than any other state in the union. While much attention has been paid to New York City, Western New York, and Erie County in particular, have been impacted particularly hard.

While much public discourse focused on the missteps of Brazil, with a rate of death per confirmed cases of 6%, and Sweden's herd immunity approach causing a death rate of 43 per 100,000, little has been said about Erie County, New York, where the death rate per confirmed cases is 8.7% and the death rate is 57 per 100,000.

COVID-19 has shown a combination of virulence and lethality that is far worse than other viruses that are widely suffered by Americans. Unfortunately, fatalities are unavoidable due to this virus. However, human error could result in a higher fatality rate than if situations were handled with increased care and thoughtfulness. This may have happened at nursing homes in Erie County, because of orders from New York State to send sick seniors back into nursing homes.

On June 1, 2020, the Comptroller requested that the Department of Health and Human Services to conduct an investigation into if, and what, mistakes were made that led to a high number of deaths in our Erie County nursing homes and nursing homes across New York State.

This report compiles information about nursing home deaths as a result of COVID-19 to assist you in your discussions regarding this serious issue. Data presented in this report was compiled between May 30, 2020 and June 1, 2020. Data changes on a daily basis.

## Table of Contents

Confirmed Cases and Deaths in Erie County.....	4
Nursing Home Cases and Deaths in Erie County.....	7
Nursing Home Surveys.....	8
Conclusion.....	9

## Confirmed Cases and Deaths in Erie County

According to the Erie County Department of Health, there have been 6,123 confirmed cases of COVID-19 as of June 1, 2020, with 528 individuals confirmed to have died from COVID-19. This number does not include cases where the death is only suspected of being the result of COVID-19. As a result, 8.62% percent of the confirmed cases have resulted in death.

For purposes of the phased re-opening, New York State has been divided into ten separate regions. Erie County is included in the Western New York region. The other counties in the Western New York region are Allegany, Cattaraugus, Chautauqua, and Niagara. The following data compares the number of cases, the number of deaths, and the percentage of cases resulting in death in Erie County with the other counties in the region:

### Cases and Deaths in Western New York Region

	Confirmed Cases	Deaths from COVID-19	Case Fatality
Allegany	48	0	0.00%
Cattaraugus	69	4	5.80%
Chautauqua	87	4	4.60%
<b>Erie</b>	<b>6123</b>	<b>528</b>	<b>8.62%</b>
Niagara	1082	65	6.01%

The rate of death compared to confirmed cases in Erie County of 8.62% exceeds the average rate for New York State (6.4%) and even that of hard hit New York City (7.5%).

If Erie County was a separate country, its case fatality rate would rank 14<sup>th</sup> in the world.

Country	Case Fatality
Yemen	23.70%
Belgium	16.20%
France	15.20%
Italy	14.40%
United Kingdom	14.10%
Hungary	13.50%
Netherlands	12.80%
Sweden	11.60%
Antigua and Barbuda	11.50%
Spain	11.30%
Mexico	10.90%
Bahamas	10.80%
Liberia	9.10%
<b>Erie County, NY</b>	<b>8.62%</b>
Ecuador	8.60%

Chad

8.40%

Another measure of the tragic impact of COVID-19 is to examine the number of deaths per 100,000 residents. Currently, given 528 deaths from COVID-19 in Erie County, we have experienced 57.4 deaths per 100,000 residents.

Compared to other counties in the region identified Western New York for the phased in re-opening, Erie County is significantly higher than all other counties in the region.

<b>Deaths per 100,000 Residents</b>		
	<b>Total Population Case Rate/100,000 for County</b>	<b>Total Population Death Rate/100,000 for County</b>
Allegany	102.1	0.0
Cattaraugus	88.8	5.1
Chautauqua	67.1	3.1
<b>Erie</b>	<b>665.6</b>	<b>57.4</b>
Niagara	511.1	30.7

Using this statistic, Erie County fares better than the state as a whole, with a rate of 161.7/100,000. That number is driven by New York City's rate of 182.0/100,000.

The United States national average for deaths/100,000 residents is 23.0. If Erie County was a separate state, its death rate would only be exceeded by four states.

<b>State</b>	<b>Total Population Case Rate/100,000 for State</b>	<b>Total Population Death Rate/100,000 for State</b>
New York	1885.9	161.7
New Jersey	1763.7	128.4
Connecticut	1159.5	107.3
Massachusetts	1372.2	96.3
District of Columbia	1203.3	64.2
<b>Erie County</b>	<b>665.5</b>	<b>57.4</b>
Louisiana	832.9	56.7
Michigan	522.6	53.1
Pennsylvania	547.1	42.0
Illinois	911.5	40.9
Maryland	843.4	38.0
Rhode Island	1223.5	36.0
Delaware	936.4	35.4
Indiana	491.2	28.3

Colorado	436.0	24.7
Mississippi	482.8	23.3
<b>National</b>	<b>465.0</b>	<b>23.0</b>
Georgia	396.4	18.3
Ohio	290.1	18.0
Minnesota	405.2	17.1
New Hampshire	322.1	17.1
New Mexico	341.2	16.0
Virginia	498.3	15.9
Iowa	586.3	15.8
Washington	272.0	14.5
Nevada	266.7	13.1
Alabama	337.6	12.4
Arizona	244.0	11.8
Missouri	206.5	11.5
Florida	247.7	11.0
California	262.9	10.1
Wisconsin	291.5	9.4
South Carolina	209.5	9.2
Kentucky	204.9	9.2
Vermont	155.3	8.8
Nebraska	674.8	8.4
Oklahoma	158.5	8.2
North Carolina	242.3	7.6
North Dakota	325.6	7.5
Kansas	323.9	7.3
Maine	162.5	6.2
South Dakota	541.9	6.1
Texas	206.2	5.5
Tennessee	310.9	5.2
Idaho	155.0	4.6
Arkansas	210.1	4.2
West Virginia	106.4	4.2
Oregon	96.9	3.6
Utah	279.1	3.2
Wyoming	151.4	2.6
Alaska	58.0	2.2
Montana	45.9	1.6
Hawaii	45.0	1.2

Erie County's rate of deaths per 100,000 is also high compared to the other nations of the world. If Erie County were an independent nation, it would appear in the top ten highest rates of death per 100,000 residents.

<b>Country</b>	<b>Total Population Death Rate/100,000 for Country</b>
San Marino	124.32
Belgium	83.05
Andorra	66.23
United Kingdom	58.85
Spain	58.06
<b>Erie County, NY</b>	<b>57.4</b>
Italy	55.39
Sweden	43.24
France	43.05
Netherlands	34.71
Ireland	34

Erie County's rates of death per diagnosed COVID-19 cases and per 100,000 residents is high compared to other counties, states and nations. It seems likely that these high fatality rates would also be found in nursing homes in Erie County.

## **Nursing Home Cases and Deaths in Erie County**

According to the New York State Department of Health, New York State has experienced 3,290 deaths in nursing homes as a consequence of COVID-19. Of these deaths, 232 occurred in Erie County. This is the 8<sup>th</sup> most deaths by county in New York State. It is important to note that Erie County also has the 8<sup>th</sup> largest population amongst counties in New York State. However, Erie county has a significantly larger percentage of COVID-19 deaths occurring in nursing homes than the New York State average, which is 13.8%. In fact, of the ten counties in New York State reporting the highest number of nursing home deaths from COVID-19, Erie County has the highest percentage of nursing home deaths as a percentage of total deaths:

### **New York State Counties with Most Nursing Home COVID-19 Deaths**

County	NH Deaths	Total Deaths	Nursing Home Deaths as a Percentage of Total Deaths
<b>Erie</b>	<b>232</b>	<b>528</b>	<b>43.9%</b>
Orange	102	376	27.1%
Suffolk	522	1954	26.7%
Westchester	244	1501	16.3%
Richmond	104	726	14.3%

Nassau	292	2619	11.1%
Queens	435	3936	11.1%
Bronx	277	2966	9.3%
New York	255	3233	7.9%
Kings	241	4422	5.5%

Compared to nursing homes in the Western New York Region:

#### Nursing Home Deaths in Western New York Region

	Deaths from COVID-19	Nursing Home Deaths as Percentage of Total Deaths
Allegany	0	0.00%
Cattaraugus	0	0.00%
Chautauqua	0	0.00%
<b>Erie</b>	<b>232</b>	<b>43.94%</b>
Niagara	33	50.77%

Erie County has experienced both a high number of nursing home deaths as a result of COVID-19, as well as a high percentage of total deaths from COVID-19 occurring in its nursing homes. Four nursing homes in Erie County have experienced death rates above 10 deaths per 100 beds. The highest rate in Erie County is 38.75 deaths per 100 beds.

## Nursing Home Surveys

On March 20, 2020, the Centers for Medicare and Medicaid Services (CMS) issued a memorandum suspending certain surveys and requiring others. The most important of these surveys was the Targeted Infection Control survey. The purpose of this survey is to inform facilities of infection control priorities during this pandemic, and to assist them in meeting these priorities. In short, it is to ensure that proper precautions are being taken. In order to incentivize state cooperation with these surveys, millions of dollars were allocated in the CARES Act for states who facilitate completion of the surveys at all nursing home facilities in New York State.

To date, 54.1% of facilities across the United States have completed these surveys. In four states – Colorado, Nevada, North Dakota and Wyoming – all facilities have complied. Another six states, including Connecticut, California, Texas and Washington, have completion rates of above 90%. New York's completion rate is 37.3%. This completion rate is in the bottom half of the nation.

New York has until July 31, 2020 to have all facilities complete the surveys. If not, they will be required to submit a remediation plan as to how they will achieve 100% compliance. If that plan



is not executed and completed within 30 days, New York risks losing money from the federal government, which will be redistributed to states in compliance.

Aside from the potential revenue loss during a time when governments are reporting massive revenue shortfalls, it is possible that facilities which have not completed the survey may not be implementing procedures which are necessary and effective in preventing the spread of COVID-19.

## **Conclusion**

The COVID-19 worldwide pandemic has hit the United States particularly hard. New York is an epicenter of the virus in the United States. Erie County has suffered a significant amount of both physical and fiscal pain as a result of this virus.

Erie County has seen high rates of death, compared to other counties, states, and nations, in its general population. It has also seen high death rates, compared to other counties and states, in its nursing homes.

Given these high rates, especially in comparison to other counties, states, and nations, WE RECOMMEND that the Legislature explore effective ways to combat COVID-19 in nursing homes.