May 1, 2020

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Re: Diamond Hill Nursing and Rehabilitation Center
   Location: 100 New Turnpike Road, Troy, NY
   Owner: Proprietary LLC
   Operator: Diamond Hill Operator LLC
   Operating Certificate: 4161305N

Governor Cuomo:

As County Executive for Rensselaer County, I urge you to immediately direct the New York State Department of Health to (1) transfer all confirmed COVID-19 residents from Diamond Hill Nursing and Rehabilitation Center to a hospital or other appropriate medical facility, (2) complete COVID-19 testing on all other residents as well as all Diamond Hill staff, (3) disinfect the entire Diamond Hill facility, and (4) work with the Diamond Hill operator to implement stringent infection control procedures to combat further spread of COVID-19 within the facility.

Diamond Hill is a privately, not county, owned and operated nursing and rehabilitation facility with 120 beds. The first confirmed COVID-19 positive case at Diamond Hill occurred on April 3, 2020 and, since then, 25 Diamond Hill residents have been confirmed COVID-19 positive. To date, Diamond Hill residents have accounted for 12 of the 20 COVID-19 deaths in Rensselaer County.

The State Department of Health licenses and inspects nursing homes in the State. Notably, over the last few years, Diamond Hill has been cited for infection control failures as well as failure to establish and maintain an infection prevention and control program, including failure of staff to properly wear personal protective equipment to protect residents. Further, in June 2019, Diamond Hill was listed in a Federal bi-partisan report as candidate for the Special Focus Facilities program, which is an oversight program for persistently underperforming facilities.

As set forth in my prior letter to you, dated April 28, 2020, urging you to withdraw the
State Department of Health advisory regarding hospital discharges and admissions to nursing homes, with the health care system never reaching close to maximum capacity, a top priority in managing the COVID-19 emergency response should have been, and now should be, more pointedly focused on protecting seniors, rather than, as apparent, needlessly increasing hospital capacity for all populations. Seniors are one of the populations, if not the population, most vulnerable to the COVID-19 pandemic.

Thank you for your immediate attention to this urgent matter for the protection of Diamond Hill resident seniors.

Respectfully,

[Signature]

Steven F. McLaughlin
Rensselaer County Executive

Cc: Dr. Howard Zucker
Commissioner
New York State Department of Health
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