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*****FOR IMMEDIATE RELEASE*****

Home Health Care Advocates Call on Governor Cuomo To Enact Critical Measures to Protect Home Care Workers and Consumers Amid Covid-19 Crisis

COLADA, The Coalition Of Labor And Disability Advocates, Launches To Reform New York Medicaid's Home Care System

(NEW YORK, NY) – A coalition of home health care advocates chaired by **The Legal Aid Society** today issued a **letter** calling on New York State Governor Andrew Cuomo to enact critical measures to protect home care workers and consumers from Covid-19 exposure when on the job. Advocates describe conditions, such as lack of testing and personal protective equipment (PPE), that are jeopardizing the lives of vulnerable people, many of whom are at high risk for severe illness or death if infected with the coronavirus.

The group behind the letter, The Coalition Of Labor And Disability Advocates (COLADA), formally launched today, and includes a wide-ranging coalition of public defenders, attorneys, community advocates, and labor groups. COLADA aims to address the problems in New York Medicaid's home care system and to resist the historic divides within the system that pit people with disabilities and home care workers against each other. The coalition will hold New York accountable to its commitments to protect the rights of workers, people with disabilities and seniors.

The **letter** states, “*We have heard disturbing stories from our clients about how they are coping. Home care workers are wearing garbage bags that they or the home care consumer purchased with their own money when they are not provided with PPE. In New York City, home care workers*

have organized grassroots fundraising campaigns to purchase PPE for themselves and elected officials have donated masks. Consumers have asked their Medicaid managed care plans to provide PPE for themselves and their aides and have had those requests denied.

Consumers have reported being scared to report problems for fear of being retaliated against by their managed care plans or home care agencies. Home care consumers who have tested positive for COVID-19 have reported that agencies are refusing to serve COVID-19 positive patients altogether or telling aides to bring their own PPE. Home care consumers who have tested positive for COVID-19 have also found that workers were not told of their positive status. Two consumers reported that they were discouraged by a home care agency from disclosing their positive status to workers. This is unacceptable.”

The coalition’s demands for the safety and well-being of home care workers and home care consumers include:

- Require plans and agencies to provide testing and PPE for home care workers.
- Engage in oversight of agencies and plans to ensure that home care workers receive testing and PPE.
- Require plans to provide PPE and in-home testing for home care consumers.
- Ensure home care workers are paid for all hours worked.
- Provide home care workers with premium pay during the emergency.
- Require plans and agencies to disclose a consumer’s COVID-19 status to home care workers.
- Require plans or agencies to provide car fare to home care workers.
- Publish data on home care consumer illness and death by COVID-19 disaggregated by race, primary language, disability status and zip code of the consumer.
- Publish data on home care worker illness and death by COVID-19 disaggregated by race, primary language, and zip code of the worker.
- Publish data on the number of home care consumers going without care or with fewer hours than those authorized disaggregated by race, primary language of the consumer and worker, and zip code of the consumer and of the worker.
- Restore the Home Care Workforce Recruitment and Retention funding.

The coalition’s member organizations include: The Legal Aid Society, Lenox Hill Neighborhood House, National Center for Law and Economic Justice, National Employment Law Project , Center for Independence of the Disabled, NY, Consumer Directed Personal Assistance Association of New York State, Disability Rights New York, Empire Justice Center, New York Association on Independent Living, New York Legal Assistance Group, and TakeRoot Justice.

Belkys Garcia, Staff Attorney in the Civil Law Reform Unit at The Legal Aid Society, said: “The Covid-19 pandemic has laid bare the inequities within our health care system, and while these issues existed before the public health crisis, we are horrified to see how they have been exacerbated and the impact on our clients. These are individuals who desperately need home care and workers whose lives depend on their employment as home care providers, and when they aren’t given the protective equipment and resources they need, everyone suffers. We are proud to

launch COLADA and to continue fighting for the rights workers, people with disabilities and seniors.”

“The safety of people with disabilities and home care workers that aide them is paramount,” said **Susan Dooha, Executive Director of Center of Independence of the Disabled, NY**. “The state needs to address these urgent and potentially life-threatening situations, and do what is right to keep all New Yorker’s safe.”

"For far too long, race, disability and wealth have determined who has access to essential health and safety protections for home health care workers and consumers alike. Now is time for that to change," said **Leah Lotto, Senior Attorney at the National Center for Law and Economic Justice**.

“Home care workers have always provided essential services to New Yorkers. In New York state, where 81 percent of home care workers are workers of color and 92 percent are women, not guaranteeing personal protective equipment (PPE) to workers is not just a health and safety issue, it is a racial justice and gender equity issue. The state has a responsibility in ensuring workers have access to PPE, safe transportation, premium pay, and any other provisions they need to safely do their job. In concert with disability rights, consumer, and other worker advocates, we demand the Governor enact critical protections for workers and consumers – during this pandemic and well into the future,” said **Rebecca Dixon, Executive Director, National Employment Law Project (NELP)**

Our clients are managing serious illnesses such as dementia, Parkinson’s, and cancer. We have been working harder than ever during the COVID-19 pandemic to ensure our clients don’t have to make a choice between receiving essential care in the home or going to a hospital or nursing home. As a proud member of the Coalition Of Labor And Disability Advocates (COLADA), we join in demanding that Governor Cuomo provide adequate protections to home care workers and consumers,” said **Beth Goldman, President & Attorney-in-Charge of NYLAG (New York Legal Assistance Group)**

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. <https://www.legalaidnyc.org>