

Center for Disability Rights' Preliminary Analysis of Governor Cuomo's 2021 State of the State Address

Every year Center for Disability Rights offers its analysis of The Governor's 2021 State of the State message. Today, Governor Cuomo gave the first in a series of speeches that will constitute his 2021 State of the State Address.

Much of the address understandably focused on the Covid-19 pandemic, vaccinations, and the need for continued vigilance. While we can fully support his focus on the pandemic there are a number of comments that the Governor made (or did not make) that should be of great concern to all of us in the Disability Community.

To anyone in the Disability Community who over the last ten months has seen and resisted efforts by many states to ration care, Governor Cuomo's comment that "We must manage hospitalizations so the system is not overwhelmed" is alarming. Every attempt we have seen so far to ration care has started with the assumption that disabled lives have less value and are therefore less of a priority. New York State should be working to ensure the capacity to deal with hospitalizations when they are needed. New York State is currently being sued for a policy already on the books that would allow people's personal ventilators to be reallocated on the basis of how well they do on a health assessment.

Also of concern is Governor Cuomo's failure to address any of his comments to the sites of this pandemic's worst

devastation - Nursing Facilities and other long term care settings. Deaths in these institutions are estimated to be 37% of all Coronavirus deaths nationwide. In New York where concerns have been raised about the State's under reporting the number is 26%ⁱ. The nursing home/congregate care model is irreparably broken. That Governor Cuomo and his administration continue to treat these deathtraps as a sustainable solution and have made no indication that they intend to invest in home and community-based services (HCBS) is unconscionable.

In his other speeches the Governor may yet choose to address the congregate setting/nursing home model crisis. No one will be happier than the Disability Community if he does. To date Governor Cuomo has given us no reason to believe that he will. He has sought immunity from prosecution for those who own these facilities and he has expended great political capital to limit the availability of Home and Community-Based Services throughout the pandemic.

This is our analysis of today's speech. We will offer a more in depth analysis of the State of the State message when the Governor has released all of his proposals. We will also analyze of the State Budget when it is released.

For more information, contact our Director of Advocacy, Gregg Beratan at gberatan@cdrnys.org.

ⁱ <https://covidtracking.com/data/long-term-care>