

**SUBSTITUTE FOR
HOUSE RESOLUTION NO. 276**

1 A resolution to oppose the Governor's policies regarding the
2 placement of COVID-19 patients into nursing homes.

3 Whereas, Before COVID-19 made its way into Michigan, one of
4 the most important tasks was keeping the virus out of Michigan's
5 long-term care facilities. From a very early point, it was
6 abundantly clear nursing home residents are particularly vulnerable
7 to COVID-19. The average age of Michigan nursing home residents is
8 82. Many of these elderly Michiganders have underlying health
9 conditions, which make them more susceptible to the serious
10 complications of COVID-19. Given the nature of nursing homes and
11 the vulnerable status of residents, these facilities have become
12 epicenters of COVID-19 in Michigan and across the country; and

13 Whereas, Despite knowledge of the significant vulnerabilities
14 of residents in nursing homes to COVID-19, the Whitmer



1 administration was one of very few state administrations across the
 2 country to implement a reckless and irresponsible policy that
 3 placed COVID-19 residents into nursing homes that also housed non-
 4 infected residents; and

5 Whereas, On April 15, 2020, Governor Whitmer signed Executive
 6 Order 2020-50, which required long-term care facilities below 80
 7 percent capacity to create "dedicated units" that are isolated
 8 wards to treat medically stable COVID-19 residents. Nursing homes
 9 without dedicated units were required to send medically stable
 10 COVID-19 patients to nearby "regional hubs" if capacity allowed.
 11 Under the order, a "regional hub" is "a nursing home that is
 12 designated by [the Michigan Department of Health and Human Services
 13 (DHHS)] as a dedicated facility to temporarily and exclusively
 14 provide care to COVID-affected residents." There are 21 regional
 15 hubs across Michigan, more than 50 percent being located in
 16 southeast Michigan where COVID-19 has been more prevalent; and

17 Whereas, The Whitmer administration is in the process of
 18 approving two more regional hubs, despite the Governor admitting in
 19 her own press conference and during testimony before a U.S. House
 20 subcommittee that her nursing home policy has flaws. This puts even
 21 more of Michigan's most vulnerable individuals in harm's way; and

22 Whereas, DHHS has estimated over 3,000 people of all ages who
 23 meet eligibility criteria to receive skilled nursing care have been
 24 discharged from hospitals or long-term care facilities to a
 25 regional hub. Regional hubs also serve as primary residencies for
 26 Michiganders; and

27 Whereas, The Governor's policies placed COVID-19 patients into
 28 nursing homes despite a lack of proper equipment, staffing levels,
 29 and protocols to protect residents. In the beginning weeks of the



1 COVID-19 outbreak, the supply of personal protective equipment
2 (PPE) for long-term care facilities was severely scarce, and
3 testing capabilities were limited. DHHS has admitted that, prior to
4 new testing efforts, testing of both nursing home residents and
5 caregivers was sporadic early on. Even worse, because nursing homes
6 across the state were not required to provide dedicated staff for
7 COVID-19 units, cross-contamination most likely occurred. Nursing
8 homes with staffing shortages had no other option than to have
9 caregivers alternate between COVID-19 wings and general population
10 wings; and

11 Whereas, As more data is collected, we fear that hundreds of
12 deaths in nursing homes will be attributed to the Whitmer
13 administration's policies. Recent state reports have indicated
14 nursing home residents account for one-third of all COVID-19 deaths
15 in Michigan. This percentage could be much higher, as the Whitmer
16 administration has not been transparent about long-term care
17 facility deaths. Data surrounding long-term care facilities was
18 first reported to be "inaccurate" and "undercounted," and the data
19 available to the public is far from complete; and

20 Whereas, Better alternatives were available to send COVID-19
21 patients. Prior to Executive Order 2020-50 being signed, the state
22 entered two separate contracts to open field hospitals to serve as
23 alternate care facilities. The Legislature originally approved the
24 funding to equip the Governor and her administration with the
25 flexibility they needed to care for COVID-19 patients and prevent
26 local hospitals from exceeding capacity. The TCF Center in Detroit
27 and the Suburban Collection Showplace in Novi were leased and
28 retrofitted into field hospitals with the capability of housing up
29 to 1,000 patients each. The monthly cost for each has been roughly



1 \$1.1 million and \$1.32 million per month in taxpayer dollars to
2 lease. The TCF Center closed within a month of opening and after
3 caring for a total of 39 patients. The Suburban Collection
4 Showplace in Novi remains open and has cared for roughly 10
5 patients; and

6 Whereas, While the largely unused field hospitals cared for
7 only about 50 patients total, regional hub nursing homes continue
8 to take in COVID-19 patients. This is not just a mistake. It is a
9 fatal error in decision-making. COVID-19 patients should be
10 admitted into field hospitals where millions in taxpayer dollars
11 are being spent to keep the Suburban Collection Showplace field
12 hospital open; and

13 Whereas, The Governor continues to issue executive orders
14 without changing course on this alarming policy. In fact, Executive
15 Order 2020-123, issued June 15, 2020, stated long-term care
16 facilities that have been deemed regional hubs "must accept COVID-
17 19-affected residents..." This order, which remains in effect
18 today, proves the Whitmer administration remains committed to this
19 practice; and

20 Whereas, Concerns over the Governor's COVID-19 nursing home
21 policies are heightened because they were in place two months prior
22 to DHHS mandating regular resident and caregiver testing or
23 offering rapid response assistance to facilities facing urgent
24 staffing shortages; and

25 Whereas, Several unanswered questions remain as to why this
26 policy was ever allowed to exist in the first place. Such a policy
27 is a blatant disregard for human life, and the people of Michigan
28 deserve answers. As duly elected representatives of the people, our
29 top priority is protecting the health and well-being of all



1 Michiganders. These are grandparents, parents, spouses, and
2 siblings being put in danger. We are determined to make sure those
3 involved in this fatal policy are held accountable and that the
4 families impacted by it receive the answers they deserve; now,
5 therefore, be it

6 Resolved by the House of Representatives, That we oppose the
7 Governor's policies regarding the placement of COVID-19 patients
8 into nursing homes; and be it further

9 Resolved, That copies of this resolution be transmitted to the
10 Governor.

