



WILL BARCLAY
Minority Leader

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

September 7, 2021

Hon. Kathy C. Hochul
Governor, New York State
New York State Capitol Building
Albany, NY 12224

Howard Zucker, M.D., J.D.
Commissioner, Department of Health
Empire Plaza, Corning Tower
State Street
Albany, NY 12203

Dear Governor Hochul & Commissioner Zucker:

Over the past few days, our offices have received numerous correspondence from various healthcare facility administrators and employees expressing their deep concerns with the potential negative ramifications of the COVID-19 vaccination mandate for all healthcare workers that goes into effect later this month. With many hospitals and other healthcare facilities already struggling with staffing shortages and lack of retention, we believe that the vaccine mandate will only exacerbate this problem, thus creating more widespread labor shortages and compromising the ability of many New Yorkers to access quality health care.

While we encourage voluntary vaccinations and safe environments for our medical staff and their patients, our primary concern, the one that has been echoed by so many professionals in the field, is that with an estimated 20 to 25 percent of healthcare workers unvaccinated, we will be facing numerous resignations or firings by the September 27th deadline. Losing approximately one-quarter of frontline caregivers to a blanket government mandate will decimate the workforce and compromise our safety net at a time when we need our healthcare professionals the most. These are the very workers who served on the frontlines during the height of the pandemic when there was so much uncertainty. We should thank them, not punish them.

With this in mind, and knowing that there is still a significant percentage of healthcare workers who are not vaccinated, what is the Department of Health's response plan to ensure that New York's healthcare workforce remains in place? In addition, what can be done for those who are in the healthcare field who have a medical exemption for the vaccine, as they cannot medically tolerate receiving it, or for the many work-from-home medical professionals, such as coders and transcriptionists?

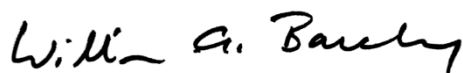
As mentioned, prior to this mandate, we were already facing staffing shortages and burnout as a result of the pandemic. With the mandate going into effect in less than a month, how do we ensure that we can maintain a strong and robust healthcare workforce so that New Yorkers can continue to receive critical care during this time? We must be proactive to ensure we have a reliable healthcare workforce in place should our state face another surge in hospitalizations.

While we agree that we should do all that we can to combat vaccine hesitation with education and remove all barriers to access, it is our view that we should do this through positive reinforcement and encouragement, not mandates. While the vaccine still provides a tremendous amount of protection for immunized individuals, we have already learned that immunized individuals can still contract and spread the virus to others. Perhaps a more comprehensive solution, instead of a widespread mandate, would be to increase access to PPE, including N95 masks, for healthcare settings and allow for weekly testing of unvaccinated healthcare workers, which is the standard applied to P-12 schools.

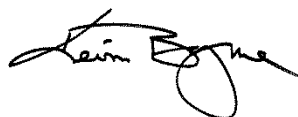
We, along with the overwhelming majority of the medical community, continue to support vaccination and immunization as a vital ingredient to combating this virus and protecting public health, but we cannot let this mandate unintentionally worsen the existing situation by weakening our healthcare system's capacity to treat patients, which will leave our rural regions and other healthcare deserts in New York State exceptionally vulnerable.

We look forward to hearing your response on a proposed plan to ensure that our frontline healthcare workers are respected and that our healthcare system remains healthy and intact so that New Yorkers will continue to receive exceptional care.

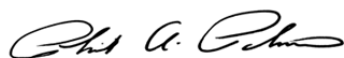
Sincerely,



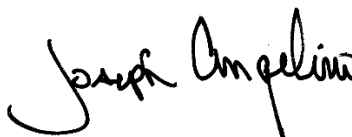
Will Barclay
Assembly Minority Leader



Kevin M. Byrne
94th Assembly District



Philip A. Palmesano
132nd Assembly District



Joseph Angelino
122nd Assembly District



Jacob Ashby
107th Assembly District



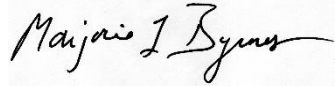
Kenneth D. Blankenbush
117th Assembly District



Karl Brabenec
98th Assembly District



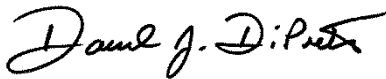
Keith P. Brown
12th Assembly District



Marjorie L. Byrnes
133rd Assembly District



Joseph P. DeStefano
3rd Assembly District



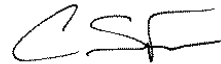
David J. DiPietro
147th Assembly District



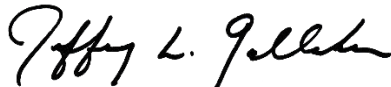
Michael Durso
9th Assembly District



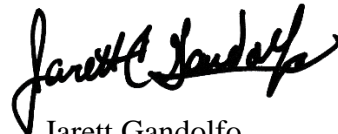
Michael J. Fitzpatrick
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Christopher S. Friend
124th Assembly District



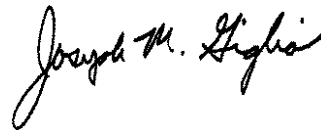
Jeffery Gallahan
131st Assembly District



Jarett Gandolfo
7th Assembly District



Jodi Giglio
2nd Assembly District



Joseph M. Giglio
148th Assembly District



Andrew Goodell
150th Assembly District



Stephen M. Hawley
139th Assembly District



Joshua T. Jensen
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Michael Lawler
97th Assembly District



John Lemondes, Jr.
126th Assembly District



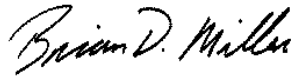
Brian D. Manktelow
130th Assembly District



David G. McDonough
14th Assembly District



John Mikulin
17th Assembly District



Brian D. Miller
101st Assembly District



Melissa "Missy" Miller
20th Assembly District



Michael A. Montesano
15th Assembly District



Angelo J. Morinello
145th Assembly District



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Edward P. Ra
19th Assembly District



Michael W. Reilly, Jr.
62nd Assembly District



John J. Salka
121st Assembly District



Colin J. Schmitt
99th Assembly District



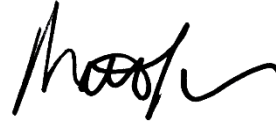
Douglas M. Smith
5th Assembly District



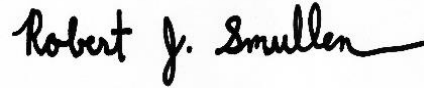
Christopher Tague
102nd Assembly District



Mark C. Walczyk
116th Assembly District



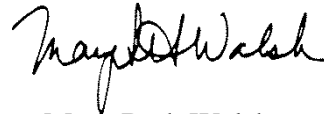
Matthew Simpson
114th Assembly District



Robert J. Smullen
118th Assembly District



Michael Tannousis
64th Assembly District



Mary Beth Walsh
112th Assembly District