



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 27<sup>th</sup> 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?

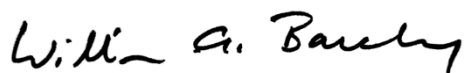
As mentioned, prior to this mandate, we were already facing staffing shortages and burnout as a result of the pandemic. With the mandate going into effect in less than a month, how do we ensure that we can maintain a strong and robust healthcare workforce so that New Yorkers can continue to receive critical 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.

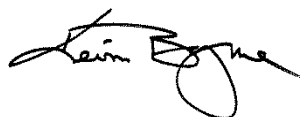
We, along with the overwhelming majority of the medical community, continue to support vaccination and immunization as a vital ingredient to combating this virus and protecting public health, but we cannot let this mandate unintentionally worsen the existing situation by weakening our healthcare system's 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.

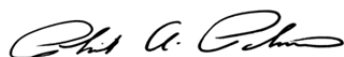
Sincerely,



Will Barclay  
Assembly Minority Leader



Kevin M. Byrne  
94<sup>th</sup> Assembly District



Philip A. Palmesano  
132<sup>nd</sup> Assembly District



Joseph Angelino  
122<sup>nd</sup> Assembly District



Jacob Ashby  
107<sup>th</sup> Assembly District



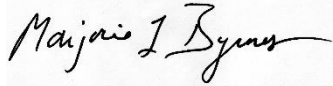
Kenneth D. Blankenbush  
117<sup>th</sup> Assembly District



Karl Brabenec  
98<sup>th</sup> Assembly District



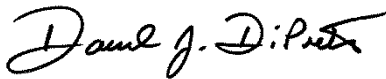
Keith P. Brown  
12<sup>th</sup> Assembly District



Marjorie L. Byrnes  
133<sup>rd</sup> Assembly District



Joseph P. DeStefano  
3<sup>rd</sup> Assembly District



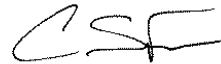
David J. DiPietro  
147<sup>th</sup> Assembly District



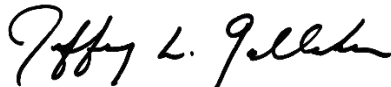
Michael Durso  
9<sup>th</sup> Assembly District



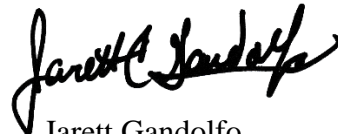
Michael J. Fitzpatrick  
8<sup>th</sup> Assembly District



Christopher S. Friend  
124<sup>th</sup> Assembly District



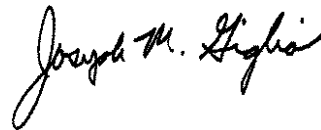
Jeffery Gallahan  
131<sup>st</sup> Assembly District



Jarett Gandolfo  
7<sup>th</sup> Assembly District



Jodi Giglio  
2<sup>nd</sup> Assembly District



Joseph M. Giglio  
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Andrew Goodell  
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Stephen M. Hawley  
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Joshua T. Jensen  
134<sup>th</sup> Assembly District



Michael Lawler  
97<sup>th</sup> Assembly District



John Lemondes, Jr.  
126<sup>th</sup> Assembly District



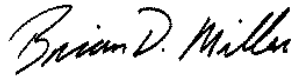
Brian D. Manktelow  
130<sup>th</sup> Assembly District



David G. McDonough  
14<sup>th</sup> Assembly District



John Mikulin  
17<sup>th</sup> Assembly District



Brian D. Miller  
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Melissa "Missy" Miller  
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Michael A. Montesano  
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Angelo J. Morinello  
145<sup>th</sup> Assembly District



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Edward P. Ra  
19<sup>th</sup> Assembly District



Michael W. Reilly, Jr.  
62<sup>nd</sup> Assembly District



John J. Salka  
121<sup>st</sup> Assembly District



Colin J. Schmitt  
99<sup>th</sup> Assembly District



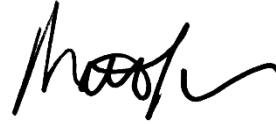
Douglas M. Smith  
5<sup>th</sup> Assembly District



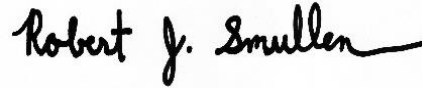
Christopher Tague  
102<sup>nd</sup> Assembly District



Mark C. Walczyk  
116<sup>th</sup> Assembly District



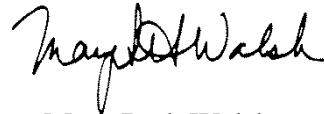
Matthew Simpson  
114<sup>th</sup> Assembly District



Robert J. Smullen  
118<sup>th</sup> Assembly District



Michael Tannousis  
64<sup>th</sup> Assembly District



Mary Beth Walsh  
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