

United States Senate

WASHINGTON, DC 20510

November 15, 2018

The Honorable Bruce Rauner
Office of the Governor
207 State House
Springfield, IL 62706

Dear Governor Rauner:

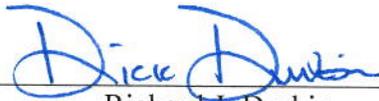
We write today in light of recent troubling reports about your Administration's handling of the Legionnaires' disease outbreaks at the Illinois Veterans' Home (IVH) Quincy between 2015 and 2018. Over the years, we have called for immediate action in order to mitigate and prevent these outbreaks from recurring, as well as for an accounting of missteps that led to the outbreaks in the first place and the State's failure to appropriately respond to them. Our offices have also provided increased federal assistance to deal with this public health crisis. However, we are concerned by new reports that State public health officials were aware of a potential citable offense that may have caused the first deadly outbreak in 2015 and failed to take corrective action. As such, we reiterate our call for a review of the leadership at the Illinois Department of Public Health (IDPH) in order to ensure the safety of all residents and staff at IVH Quincy.

Information gleaned from emails recently released by your administration indicates that the State bungled a water system repair at IVH Quincy in violation of state health codes on August 6, 2015, prior to the start of the first deadly Legionnaires' outbreak at IVH Quincy. As much as 1,600 gallons of stagnant water was reportedly mistakenly released into IVH Quincy's water supply. Emails from IDPH Director Nirav Shah described this stagnant water as being at the "optimal growing temperature" for the *Legionella* bacteria, and called the repair failure a "citable offense" that "created a condition that would have affected quality (sic) of potable" water at IVH Quincy. In fact, the Centers for Disease Control and Prevention in their final trip report later that year had identified potable water system issues at IVH Quincy and made recommendations accordingly, but the recent release of these emails indicates that State public health officials were aware of a serious water system failure that may have caused the outbreak and still chose to delay notification of the outbreak to residents, family, and staff. Further concerning is that your administration failed to cite for the mistake, despite state laws and regulations that are designed to prevent such issues. And, of course, we are deeply saddened that the State's failure to acknowledge and address this water system issue may have contributed to the subsequent outbreaks and deaths at IVH Quincy since 2015.

Additional recently released documents also continue to indicate that your administration was more focused on a public relations response to the annual Legionnaires' outbreaks instead of an immediate and comprehensive public health response. Your administration reportedly focused on the need to "develop an internal strategy to get our story out" or develop a "well-thought [communications] strategy" on numerous occasions, and again pushed to delay public notification during subsequent outbreaks.

Quite simply, Director Shah must step down immediately in light of these new reports—as the Illinois Department of Veterans’ Affairs Director Erica Jeffries similarly resigned earlier this year in the midst of the ongoing crisis at IVH Quincy. As the State of Illinois enters a period of gubernatorial transition, Dr. Shah’s resignation is especially important to preserve and protect the health and safety of all residents and staff at IVH Quincy from such a failure in the future. We owe it to the veterans and families of IVH Quincy, and the dedicated staff, to have the best possible leadership at this critical time.

Sincerely,



Richard J. Durbin
United States Senator



Tammy Duckworth
United States Senator