

Settlement reached between Massachusetts, plaintiffs in COVID-19 outbreak case at Soldiers' Home

The Baker-Polito Administration announced that a settlement has been reached between the Commonwealth of Massachusetts and plaintiffs in a class action lawsuit related to the COVID-19 outbreak at the Holyoke Soldiers' Home in the spring of 2020.

"The COVID-19 outbreak at the Holyoke Soldiers' Home was a terrible tragedy. While we know nothing can bring back those who were lost, we hope that this settlement brings a sense of closure to the loved ones of the veterans," said Governor Charlie Baker.

The agreement is subject to approval by the federal district court for Massachusetts and totals \$56 million. The terms of the settlement will cover veterans who lived at the Holyoke Soldiers' Home at any time between March 1, 2020 and June 23, 2020 and who became ill or died from COVID during that period. Former U.S. Attorney Donald K. Stern will serve as the settlement claims administrator and will make awards to participating claimants based on his review of each claimant's individual circumstances. Estates of deceased veterans would receive a minimum award of \$400,000 and veterans who contracted COVID but survived would receive a minimum of \$10,000. The fund will also provide for payment of court approved attorneys' fees for the plaintiffs.

This settlement, when approved, will resolve all potential claims relating to the outbreak of COVID-19 during the covered period. Claimants will receive further details on the settlement directly from their attorneys and through a court

approved process.

Governor Baker plans to file legislation seeking \$56 million for the claims fund in the coming weeks.

“There is no amount of money that can compensate our clients for the loss of their loved ones. But our clients are grateful that the Commonwealth has acted to resolve this matter without the need for protracted litigation by agreeing to compensate both the families of those who died of COVID, as well as the veterans who survived. The settlement is fair and just,” said Plaintiffs’ lawyer Tom Lesser.

Since 2020, the Baker-Polito Administration has focused on strengthening the Holyoke Soldiers’ Home, and since that time, the Home has passed all required federal inspections. In August 2021, the Soldiers’ Home in Holyoke received accreditation from the Joint Commission following the most recent survey of the facility, with no deficiencies cited in the report. The Soldiers’ Home in Holyoke is also certified by the U.S. Department of Veterans’ Affairs. Annual surveys are conducted by the VA to maintain certification. Holyoke received VA certification in 2021 and is awaiting final certification following its 2022 inspection.