

NOTICE

Reporting Reasonable Suspicion of a Crime

All operators, employees, managers, agents and contractors of The Homestead at Soldiers and Sailors are considered “Covered Individuals” and have the following responsibilities and rights under Federal law:

If you reasonably suspect that a crime has occurred against a resident or other person receiving care at **The Homestead at Soldiers and Sailors** you must report that suspicion to local law enforcement and the NY State Department of Health. ***You may satisfy this requirement by immediately reporting to the Administrator***, who will then file the reports to law enforcement and DOH within the following timeframes:

- ***No later than two (2) hours*** after it is first suspected that a crime has occurred if the suspected crime involves “***Serious Bodily Injury***” to the resident, or
- ***No later than 24 hours*** if there is no serious bodily injury involved.

Covered Individuals have the option of filing their own reports with law enforcement and the NY State DOH within these timeframes, **but you are still required to immediately report to the Administrator**

“Serious Bodily Injury” means an injury (i) involving extreme physical pain; (ii) involving substantial risk of death; (iii) involving protracted loss or impairment of the function of a bodily member, organ or mental faculty; or (iv) requiring medical intervention such as surgery, hospitalization, or physical rehabilitation.

WARNING: If you fail to report the reasonable suspicion of a crime, you may be subject to a civil monetary penalty, currently up to \$379,386 and/or you may be excluded from participating in any Federal health care program (e.g., Medicare and Medicaid).

NO RETALIATION: **The Homestead at Soldiers and Sailors** will not punish you or otherwise retaliate against you for reporting the reasonable suspicion of a crime in accordance with the law. Examples of punishment or retaliation include: firing/discharge, suspension, demotion, threatening these actions, harassment, and denial of a promotion or any other discrimination against an employee in the terms and conditions of employment. In addition, **The Homestead at Soldiers and Sailors** may not file a complaint or a report against a nurse or other employee with a state professional disciplinary agency for lawfully reporting a crime.

YOUR RIGHT TO MAKE A COMPLAINT: You have the right to file a complaint with the NY State DOH if **The Homestead at Soldiers and Sailors** punishes you or otherwise retaliates against you for reporting the reasonable suspicion of a crime against a resident or person receiving care from **The Homestead at Soldiers and Sailors**. To file a complaint, contact the NY State DOH Nursing Home Complaint Hotline at 1-888-201-4563.

MORE INFORMATION: Please see **The Long Term Care** policy “Abuse, Neglect, Mistreatment and Misappropriation of Resident Property” or contact the Compliance Officer or the Administrator.