

NOTICE

Reporting Reasonable Suspicion of a Crime

All operators, employees, managers, agents and contractors of Elizabeth Seton's Children Center (ESCC) 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 ESCC, you must report that suspicion to local law enforcement and the NY State Department of Health. ***You may satisfy this requirement by*** reporting to the Vice President of Operations/Administrator, who will then file the reports 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 Vice President of Operations/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., Medicaid).

NO RETALIATION: ESCC 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, ESCC 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 ESCC punishes you or otherwise retaliates against you for reporting the reasonable suspicion of a crime against a resident or person receiving care from ESCC. To file a complaint, contact the NY State DOH Nursing Home Complaint Hotline at 1-888-201-4563.

MORE INFORMATION: Please see ESCC's "Reporting the Reasonable Suspicion of a Crime Policy" or contact the Compliance Officer or the Administrator.