Date

(Local police chief or county sheriff’s office)

Re: Reporting of Crimes in Long Term Care Facilities

Dear\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

Please be advised that certain individuals associated with long term care facilities, (specifically nursing facilities, hospices that provide services in long term care facilities, and Intermediate Care Facilities for the Mentally Retarded), including \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, are subject to new federal requirements with respect to reporting the suspicion of a crime against a resident. The stated purpose of the law is to assure that serious offenses against nursing home residents are promptly and appropriately reported and investigated. Under this law, “covered individuals”\* – defined below – must report a reasonable suspicion of a crime, as defined by the applicable political subdivision. The report of the suspicion of a crime must be made to local law enforcement within two hours (in cases of serious bodily injury) or twenty-four hours (no serious bodily injury) of becoming aware of a suspicion of crime against a resident.

Each “covered individual” present in the long term care facility who has a reasonable suspicion of a crime against a resident must submit a report to local law enforcement. In instances when multiple individuals develop the same reasonable suspicion, they may submit a joint notice.

Covered individuals associated with nursing facilities will be providing the same report to the agent of the Secretary of the U. S. Department of Health and Human Services, the State Survey Agency that is responsible for assuring nursing facilities’ compliance with state and federal regulations.

You are likely to begin receiving numerous notifications from individuals who have a reasonable suspicion of a crime against a long term care facility resident. Should you have questions about this new requirement, we encourage you to contact the State Attorney General’s office for additional clarification.

Sincerely,

* “Covered Individuals” means each individual who is an owner, operator, employee, manager, agent, or contractor of a long-term care facility that in the preceding year received at least $10,000 in Federal funds.