

******NOTICE******

**REQUIREMENT TO REPORT THE REASONABLE SUSPICION OF A CRIME
AGAINST A RESIDENT UNDER THE ELDER JUSTICE ACT**

TO: Associates, Vendors, Contractors, Volunteers

Section 6703(b)(3) of the Patient Protection and Affordable Care Act, in part, amended Title XI of the Social Security Act by adding Section 1150B. Section 6703(b)(3) is part of Subtitle H referred to as the Elder Justice Act. Section 1150B requires long term care facilities that receive at least \$10,000 in Federal funds under the Act [referring to the Social Security Act] during the preceding year to at least annually notify you of your obligation to report to the State Survey Agency and at least one local law enforcement entity any reasonable suspicion of a crime, as defined by local law, committed against an individual who is a resident of, or is receiving care from, a CarDon community.

The reporting obligation under this Act is an individual responsibility and applies to anyone who is an owner, operator, employee, manager, agent, or contractor with our Company.

Failure to Report. Individuals who fail to meet the reporting obligations under the Act are subject to a civil money penalty of up to \$200,000 and may be excluded from participation in Federal health care programs. If by failing to report the individual increases the harm to the victim or results in harm to another individual, the civil money penalty is increased to up to \$300,000.

Timing of Report. If the events that cause the reasonable suspicion of a crime result in serious bodily injury to a resident, the report must be made immediately but not later than two hours after forming the suspicion. If the events that cause the suspicion do not result in serious bodily injury, the individual shall report not later than 24 hours after forming the suspicion. Formation of a reasonable suspicion of a crime may occur at the time of the event or at any time after the event. Individuals may form a reasonable suspicion of a crime at different times based on the same event. The formation of a reasonable suspicion is what triggers the reporting requirement. The extent of injury to a resident dictates the timing of the report.

How to Report. Reports can be made to the Indiana State Survey Agency in one of the following methods:

Email: incidents@isdh.in.gov

Phone: 1-800-246-8909

Fax: (317) 233-7494

Reports to local law enforcement need to be to a law enforcement agency for the political subdivision in which the community is located which includes either the city or county police department. Your obligation is to report the suspicion. It is up to law enforcement to decide whether to launch an investigation.

We ask that you also notify the administrator of the community or contact the Director of Compliance at 1-317-600-2064.