

Long-Term Care Survey Alert

Patient Protection: Caregivers Need To Be Crime Stoppers

Remember that preventing suspected criminal activity in the SNF is your duty.

The proposed rule also aims to give nursing home staff new roles in protecting residents by reporting suspected criminal activity in the nursing home.

That's because some provisions of the new proposed rule were prompted by recent legislations, including the Affordable Care Act (ACA). Specifically, the Elder Justice Act, part of the ACA, spurred a new requirement that nursing home staff and managers play a defined role in crime prevention. As spelled out in the proposed rule, "covered individuals," which include direct caregivers and managers alike, must report "any reasonable suspicion of a crime to the Secretary and one or more law enforcement entities in their political subdivision in which the nursing home is located." And furthermore, the person reporting the suspicion better take quick action. Any suspicion must be reported within two hours, if the suspicion resulted in serious bodily harm to the resident; but not later than in the first 24 hours, if no bodily harm is evident.

Nursing homes are also responsible for making these requirements known, and for letting covered individuals know that they are protected from retaliation should they report a suspected crime.