

Elder Justice Act - Covered Individual Annual Notification Form

October 1, 2024

RE: POLICY & PROCEDURE FOR REPORTING SUSPECTED CRIMES UNDER THE FEDERAL ELDER JUSTICE ACT

Dear Vendor Colleague:

Effective March 23, 2010, Congress enacted the Elder Justice Act (“EJA”), which required long term care facilities to notify “Covered Individuals”, as defined in the EJA, of their obligation to report to local law enforcement, and to the Secretary of Health and Human Services, their reasonable suspicion of crimes committed against nursing home residents. The EJA defines a Covered Individual as each individual who is an owner, operator, employee, manager, agent, or contractor of a long-term care facility. This organization regards you as a Covered Individual, and the purpose of this Notice is to make you aware of your obligations under the federal Elder Justice Act.

The EJA requires:

Each covered individual shall report to the Michigan Department of Licensing and Regulatory Affairs (LARA)/Bureau of Health Systems (acting as the agent for the Secretary of the U.S. Department of Health and Human Services) and 1 or more law enforcement entities for the political subdivision in which the facility is located any reasonable suspicion of a crime (as defined by the law of the applicable political subdivision) against any individual who is a resident of, or is receiving care from, the facility.

Timing

If the events that cause the suspicion—

- result in serious bodily injury, the individual shall report the suspicion immediately, but not later than 2 hours after forming the suspicion; and
- do not result in serious bodily injury, the individual shall report the suspicion not later than 24 hours after forming the suspicion.

Should you have any questions regarding this notice, please contact:

Chief Compliance Officer
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