



TO: All Agents, Contractors and Vendors

FROM: Janine M. Valdez, Vice President of Compliance, Genesis Administrative Services LLC

DATE: October 21, 2016

RE: **Elder Justice Act: Your Duty to Report Reasonable Suspicion of Crime**

You are receiving this letter because we believe that you may be a Covered Individual as that term is defined under the Elder Justice Act (Act). The Act is part of the healthcare reform legislation signed into law on March 23, 2010. **The term “Covered Individual” includes owners, operators, employees, managers, agents and contractors. The definition is so broad that it can be interpreted to include even an occasional vendor of a facility and is not limited to those who are in direct contact with our residents.** The Act imposes notification requirements on long term care facilities receiving \$10,000 or more annually in Federal funds. We are providing this notice to remind you of your reporting obligations under the Act.

**What Are Your Responsibilities Under The Act?**

- Covered Individuals are required to report to the State Survey Agency (SSA) and to a local law enforcement agency where the facility is located, any reasonable suspicion of a crime committed against any individual who is a resident of, or is receiving care from, the long term care facility. The SSA is the department that oversees long term care facilities within the state where the facility is located.
- If the events that cause the suspicion result in serious bodily injury, you must report your suspicion immediately, but not later than 2 hours after forming the suspicion. If the events that cause the suspicion do not result in serious bodily injury, you must report your suspicion not later than 24 hours after forming the suspicion. Serious bodily injury is defined under the Act as an injury involving extreme pain, substantial risk of death, protracted loss or impairment of the function of a bodily member, organ or mental faculty; or requiring medical intervention such as surgery, hospitalization or physical rehabilitation.
- If you fail to report your reasonable suspicion, you may be subject to a civil monetary penalty of up to \$200,000 or up to \$300,000 if the failure to report exacerbates the harm to the victim of the crime or results in harm to another individual. You may also be excluded from participation in any Federal healthcare program.
- We follow a strict non-retaliation policy. In accordance with this policy, any individual or entity that makes a report pursuant to the Act is protected from retaliation.

**AS A COVERED INDIVIDUAL, IT IS EXPECTED THAT YOUR ORGANIZATION WILL COMPLY IMMEDIATELY WITH THE REQUIREMENTS OF THE ELDER JUSTICE ACT.**



## Mission Statement

**We improve the lives we touch through the delivery of high quality health care and everyday compassion.**

## Core Values

**Our Core Belief is that patients and residents are the center of our work.** Employees, directors, officers and contractors are expected to uphold the principles of the Genesis Core Values:

CARE & COMPASSION FOR EVERY LIFE WE TOUCH.  
RESPECT & APPRECIATION FOR EACH OTHER.  
TEAMWORK & ENJOYMENT IN WORKING TOGETHER.  
FOCUS & DISCIPLINE ON IMPROVING THE QUALITY OF CARE.  
CREATIVITY & INNOVATION TO DEVELOP EFFECTIVE SOLUTIONS.  
HONESTY & INTEGRITY IN ALL DEALINGS.

### **COMPLIANCE AND ETHICS PROGRAM INFORMATION FOR AGENTS, CONTRACTORS AND VENDORS**

Genesis Healthcare, Inc. and its affiliated entities (Genesis) is committed to advancing the state of healthcare services for the elderly, and to patients needing rehabilitation therapy. Genesis expects covered persons, including directors, officers, employees, contractors and agents to honor this commitment in accordance with the principles set forth in the Genesis Code of Conduct and standards developed in connection with the Genesis Compliance and Ethics Program (Program). The Program was developed to assure that Genesis continues to achieve its goals of providing quality care and service in a manner that is consistent with applicable laws and regulatory expectations, and is intended to empower covered persons to prevent, detect and resolve any conduct or action which fails to comport with applicable law, or which fails to satisfy Genesis standards.

The Program is also intended to assist key leaders in developing and implementing internal controls and procedures that promote adherence to the applicable statutes and regulations of the Federal and State healthcare programs, and private insurance program requirements. The information presented in the Program, in concert with associated policies and procedures, demonstrates Genesis's good faith effort to comply with applicable statutes, regulations, and other requirements, and is designed to reduce the risk of unlawful conduct and corresponding sanctions.

Genesis is dedicated to full implementation of this Program. It is the intention of the Company to create and maintain a Company culture that refuses to tolerate non-compliance, in any respect, with laws, regulations, or with Genesis standards. Contractors are required to complete Code of Conduct compliance training within 30 days of inception of services, and annually. Additional information is posted on our website at: <http://www.geneshcc.com/about-us/compliance>. The Program on the website is updated from time to time to reflect changes in regulatory requirements.