



David H. Sidwell
Chairman

Emma DeVito
President & CEO

FOR BETTER HEALTH AND WELL-BEING

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To Whom it May Concern:

VillageCare, a not-for-profit corporation, is the parent company for the VillageCare Rehabilitation and Nursing Center and Rivington House – The Nicholas A. Rango Health Care Facility (collectively, the "Nursing Homes"), each of which operates a licensed not-for-profit skilled nursing home. As part of the commitment of VillageCare and the Nursing Homes to provide quality health care services in accordance with ethical standards and in compliance with applicable laws, VillageCare and the Nursing Homes have adopted a policy to comply with Section 1150B of the Social Security Act as established by section 6703(b)(3) of the Patient Protection and Affordable Care Act. The Nursing Homes conduct their business operations in accordance with this policy and expect their business partners to comply with such policies while conducting business with them.

For your convenience and information, attached to this letter is a summary of the key elements of this policy. The policy can also be found on our website at:

www.villagecare.org/compliance

We request that you familiarize yourself and your employees with this policy. Any questions should be directed to VillageCare's Corporate Compliance Officer, Suzanne Haber, at (212) 337-5637.

Thank you for your attention and cooperation in this matter.

Very truly yours,

Emma DeVito
President and Chief Executive Officer



Elder Justice Act: Reporting Reasonable Suspicion of a Crime against Nursing Home Residents

WHAT ARE THE REQUIREMENTS?

All employees (as well as other “Covered Persons”—vendors, contractors, etc.) must report any reasonable suspicion of a crime against facility residents or individuals receiving care at our facilities.

For the purposes of this law, a **crime** can be defined as an act or omission that constitutes an offense that may be prosecuted by the state or federal government and is punishable by law.

TO WHOM MUST THE REPORT BE MADE?

New York State Department of Health (DOH) at (888) 201-4563

The New York Police Department (NYPD), 5th Precinct, 212-334-0741 (for Rivington House reports) and 6th Precinct, 212-741-4811 (for VillageCare Rehabilitation and Nursing Center reports)

If the resident suffers a serious bodily injury, the report must be made within two hours of the event.

A **serious bodily injury** is defined as:

- An injury involving extreme physical pain;
- An injury involving substantial risk of death;
- An injury involving protracted loss or impairment of the function of a bodily member, organ or mental faculty; or

If the resident did not sustain a serious bodily injury, the suspicion must be reported no more than 24 hours after forming the suspicion.

WHAT IF I DON'T REPORT MY REASONABLE SUSPICION?

There are penalties if an individual fails to report a **reasonable suspicion of a crime against a resident**:

You may be fined up to \$200,000 (\$300,000 if failure to report leads to exacerbated harm to the crime victim or harms another person); and

You may be excluded from participation in federal health care programs. This means you may not be able to work for any health care facility that participates in Medicare and/or Medicaid.

CAN I REPORT MY SUSPICIONS TO ADMINISTRATION?

The facility Administration is always available to assist you with these new requirements; however, this law does not require you to notify Administration.

Keep in mind that there are other federal and state laws that require you to notify the Administration so that the Facility Administrator can satisfy his/her obligation to report various matters to authorities, such as alleged violations of Abuse, Mistreatment and Neglect, including injuries of unknown source, and misappropriation of resident property.

Non-Retaliation Policy. VillageCare and its subsidiaries has a strict policy of non-retaliation for any good faith report of a suspected or known violations of a resident's rights. Reports of reasonable suspicion of a crime against a resident are protected under this policy.

Contact the facility's Administration, at 212-337-9403 (VillageCare Rehabilitation and Nursing Center) or the Corporate Compliance hotline at 844-348-2664 if you have questions.