

LONG TERM CARE COMMUNITY COALITION

Advancing Quality, Dignity & Justice

THE ROLE OF LAW ENFORCEMENT WHEN THERE IS SUSPICION OF A CRIME AGAINST A NURSING HOME RESIDENT

Individuals working at a nursing home (including owners, managers, care staff, and contractors) are required by federal law to report any reasonable suspicion of a crime against a nursing home resident to the state regulatory agency and law enforcement. Given that nursing home residents are all too often the victims of abuse and neglect, **the goal of the federal requirement is to protect residents.**

While the majority of nursing home residents are senior citizens, and many have some level of dementia, **residents retain the same rights as those living outside of nursing homes.** Residents have the right to make personal choices; the right to live free of physical, emotional, verbal, and sexual abuse; and the right to be treated with dignity. Most notably, as it relates to law enforcement, residents also have the right to criminal justice. **It is critical that law enforcement respond as quickly and effectively to suspicions of a crime against a resident as it does for those not in an institutional setting.**

To strengthen realization of these vital resident protections, the Long Term Care Community Coalition (LTCCC), a non-profit organization, has issued ***Addressing Abuse, Neglect, and Suspicion of a Crime Against Nursing Home Residents***, a report identifying a variety of key practices that have been employed in communities across the country to address elder abuse, neglect, and crime in residential settings. Following are a selection of resources which we believe may be useful to law enforcement:

- **LTCCC's Abuse, Neglect, and Crime Reporting Center.** The Reporting Center contains our report on key practices for addressing abuse, neglect, and crime. It also has free downloadable forms and fact sheets for law enforcement and other responders. See <https://nursinghome411.org/learning-center/abuse-neglect-crime/>.
- **Elder Justice Act.** The Elder Justice Act is the federal law on reporting suspicion of a crime against long-term care residents to law enforcement. The Act became law in 2010 with the passage of the Affordable Care Act. See https://www.ssa.gov/OP_Home/ssact/title11/1150B.htm.
- **The Elder Abuse Guide for Law Enforcement (EAGLE):** EAGLE is a "national web module designed to support officers in identifying, intervening, and resolving cases of elder abuse." EAGLE is funded by the U.S. Department of Justice. See <http://eagle.trea.usc.edu/>.

For more information about nursing home and assisted living care, visit www.nursinghome411.org.