

LONG TERM CARE COMMUNITY COALITION

Advancing Quality, Dignity & Justice

REPORTING NURSING HOME ABUSE, NEGLECT, AND SUSPICION OF A CRIME: FEDERAL REQUIREMENTS & NY STATE RESOURCES

Reporting Abuse or Neglect

Every resident is entitled to receive the services he or she needs to attain, and maintain, his or her highest practicable physical and psycho-social well-being. This includes being free from abuse and neglect.

[The Medicaid Fraud Control Unit](#) accepts and investigates complaints about abuse and neglect. Call **800-771-7755** or file a complaint online at <https://ag.ny.gov/comments-mfcu>.

[The Department of Health](#) (DOH) is responsible for investigating incidents of abuse and neglect, as well as ensuring that residents are protected. To make a complaint, call the Nursing Home Complaint Hotline at **888-201-4563**. For more ways to file a complaint with DOH, see https://apps.health.ny.gov/nursing_homes/complaint_form/complain.action.

Reporting Suspicion of a Crime

[Federal law](#) requires that **everyone** who works in a nursing home (including administrative staff and contractors) **must** report any suspicion of a crime against a resident to both DOH *and* law enforcement. Reporting must occur immediately, but not later than two hours after forming the suspicion, if the resident suffers serious bodily injury. For information on what constitutes serious bodily injury, see LTCCC's [fact sheet](https://nursinghome411.org/learning-center/) at <https://nursinghome411.org/learning-center/>.

Absent serious bodily injury, reporting must occur within 24 hours. Failure to report in the above timeframe to both DOH and law enforcement can result in a fine of \$200,000 or more.

Do not wait for someone else to report suspicion of a crime. If you see something, say something!

For Help With Resident-Centered Advocacy

[The Long Term Care Ombudsman Program](#) (LTCOP) is a federal advocacy program that operates in New York State through the Office of the State Long Term Care Ombudsman. Certified ombudsmen serve all communities in the state, helping nursing home residents and their families resolve unmet needs and complaints. To contact the LTCOP, call **855-582-6769** or use the [online form](#) at <https://www.ltcombudsman.ny.gov/other/contactus.cfm>.

To Learn More

The [Abuse, Neglect, and Crime Reporting Center](#) at www.nursinghome411.org contains our 2019 report on key practices for addressing abuse, neglect, and crime. The Reporting Center also has free, downloadable forms and fact sheets for residents, families, ombudsmen, nursing home staff, law enforcement, and other interested parties.

For more information and resources, visit www.nursinghome411.org.