October 31, 2016

Q: What is the Elder Justice Act? I also heard that I have to have an Elder Justice Act poster in my facility? Where can I get this poster?

A: The purpose of the Elder Justice Act (EJA) is to detect, prevent and prosecute elder abuse, neglect and exploitation. The EJA is designed to address crimes committed against older persons, raise national awareness of elder justice issues and apply resources to the efforts of those confronting elder abuse and neglect on the front lines in health care settings. The EJA adds numerous new “elder justice” provisions and specific long term care provider requirements by amending various sections in several titles of the Social Security Act (SSA).

The EJA requires that any reasonable suspicion of a “crime” (as defined by the law of the applicable political subdivision) that results in “serious bodily injury” to any individual who is a resident of, or who receives care from, a federally-funded residential care provider that arranges for or directly provides that care be reported within two (2) hours to the Secretary and to one or more local law enforcement entities. These requirements became effective March 23, 2010. Read more about the EJA in this CMS summary.

Here are some Tools and Templates to review as well:

- Required Elder Justice Act poster
- Facility policy and procedure
- Form for individuals to report suspicion of a crime
- Facility letter to law enforcement explaining reporting requirement