



Center for Clinical Standards and Quality/QUALITY & SAFETY SPECIAL ALERT MEMO

Ref: QSSAM-24-1-Hospital

SPECIAL ALERT-HOSPITALS

DATE: April 16, 2024
TO: Hospital Providers and other Covered Entities
FROM: Directors, Quality, Safety & Oversight Group (QSOG) and Survey & Operations Group (SOG)
SUBJECT: Reminder regarding Mandatory Reporting of Abuse and Neglect to State and Local Authorities

Memorandum Summary

- Generally, most if not all states have laws that require reporting by licensed health practitioners who suspect an individual is the victim of abuse, neglect, or exploitation.
- While the definitions, timeframes for reporting, and the appropriate authority for such reports varies from state to state, it is important for hospitals to ensure mandatory reporters comply with applicable state reporting expectations to protect the vulnerable populations they serve.

Note: The Quality, Safety & Oversight Group is introducing a new memorandum type, *Quality and Safety Special Alert memos (QSSAM)*. These memos will be geared towards specific provider types and will often serve as reminders of existing obligations or requirements. These QSSAM memos will not have any modifications to existing survey and certification policies.

Discussion:

Reflecting CMS' continued commitment to patient health and safety, we are reminding hospitals of the obligation for their health practitioners under applicable state law to report patient abuse, neglect, or exploitation to the appropriate law enforcement authorities.

A November 2023 audit by the HHS Office of the Inspector General (<https://oig.hhs.gov/oas/reports/region1/12200501.pdf>) used a sample of hospital Medicare claims data to estimate that 24 percent of the claims they believed contained evidence of abuse or neglect were not reported to law enforcement. This failure to promptly report such concerns to law enforcement jeopardizes patient health and safety, as well as the continued licensure of health care personnel.

Hospitals should support their licensed health care practitioners in facilitating their understanding of state or local mandatory abuse, neglect, and exploitation reporting responsibilities.

Contact:

For questions or concerns relating to this memorandum, please contact QSOG_Hospital@cms.hhs.gov.

Effective Date:

Immediately. Please communicate to all appropriate staff within 30 days.

/s/

Karen Tritz
Director, Survey Operations Group

/s/

David R. Wright
Director, Quality, Safety & Oversight Group

Resources to Improve Quality of Care:

Check out CMS's new Quality in Focus interactive video series. The series of 10–15 minute videos are tailored to specific provider types and intended to reduce the deficiencies most commonly cited during the CMS survey process, like infection control and accident prevention. Reducing these common deficiencies increases the quality of care for people with Medicare and Medicaid.

Learn to:

- *Understand surveyor evaluation criteria*
- *Recognize deficiencies*
- *Incorporate solutions into your facility's standards of care*

See the [Quality, Safety, & Education Portal Training Catalog](#), and select Quality in Focus.