



## Misericordia

Nursing & Rehabilitation Center

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### **POLICY: Non-Discrimination in Employment, Services, and Care**

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Misericordia Nursing & Rehabilitation Center, an Equal Employment Opportunity employer, does not discriminate in the terms and condition of employment with Misericordia on the basis of the EEOC's laws of:

- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding.
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation.
- Any other legally protected status.

It is at all times the intent of Misericordia to comply with its Non-Discrimination Policy, with the Pennsylvania Human Relations Act, Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973; The Age Discrimination Act of 1975; and the Americans with Disabilities Act (ADA). It is prohibited for any employee to discriminate against a fellow employee or resident of Misericordia.

Any employee who believes that Misericordia is not in compliance with the Non-Discrimination Policy must report such non-compliance to the Administrator within 24 hours of obtaining knowledge of such non-compliance. Any violation of this policy, including failure to report said non-compliance, can result in disciplinary action, up to and including termination.

Our current Chief Compliance Officer is Marcia Reihart. The Chief Compliance Officer can be reached via Telephone: 717-880-6919 or by fax at 717-755-2530.

Any employee is encouraged to file a complaint of discrimination should he or she feel that discrimination has occurred. In addition to reporting to the Administrator, or if an employee does not feel comfortable reporting to the Administrator, an employee may contact the following:

- Misericordia's Chief Compliance Officer: Marcia Reihart. The Chief Compliance Officer can be reached via Telephone: 717-880-6919 or by fax at 717-755-2530. Any employee may contact the Chief Compliance Officer directly. Calls to the Chief Compliance Officer can be made anonymously. An employee may speak openly and freely with Ms. Reihart and be free from any retaliation and fall under the protection of the Whistleblower's Act.
- Pennsylvania Human Relations Commission  
333 Market St., 8<sup>th</sup> Floor  
Harrisburg, PA 17101  
717-787-9780
- For Skilled Nursing Facilities:  
Pennsylvania Department of Health

Bureau of Quality Assurance  
Division of Nursing Care Facilities  
Room 526, Health and Welfare Building  
625 Forster St.  
Harrisburg, PA 17120  
Phone number: 800-254-5164  
Fax number: 717-772-2163

- Office for Civil Rights  
U.S. Department of Health and Human Services, Region III  
801 Market St., Suite 9300  
Philadelphia, PA 19107-3134  
Customer response center: 800-368-1019  
Fax number: 202-619-3818
- Any other Human Rights Agency having jurisdiction.

Misericordia does not discriminate in referral for admission or in providing admission, services, and care to its residents. A resident has the right to care without discrimination based upon race, color, familial status, religious creed, ancestry, age, sex, gender, sexual orientation, gender identity or expression, national origin, ability to pay, handicap or disability, use of guide or support animals because of the blindness, deafness, or physical handicap of the resident or because the resident is a handler or trainer of support or guide animals.

The resident and his/her representatives have the right to voice grievances without discrimination or reprisal. Such grievances include but are not limited to, those with respect to resident abuse, neglect, mistreatment, misappropriation of resident property, treatment and services which have been furnished, as well as those which have not been furnished, items lost or stolen, and issues with respect to the behavior of other residents. There must be prompt effort by Misericordia and employees to resolve grievances. Misericordia's Grievance Officer is the Social Worker. Grievances may also be filed with the Long-Term Care Ombudsman:

York County Area Agency on Aging  
2401 Pleasant Valley Rd.  
York, PA 17406  
Phone number: 717-771-9610

Residents and his/her representatives may file complaints of discrimination with:

Office for Civil Rights  
U.S. Department of Health and Human Services  
150 S. Independence Mall West  
Suite 372, Public Ledger Building  
Philadelphia, PA 19106-9111  
Telephone: (800) 368-1019

This policy also specifically prohibits discrimination on the basis of:

- (1) Segregating buildings, wings, floors, and rooms.
- (2) Providing inpatient admission or care.
- (3) Assigning residents to rooms, floors, and sections of the facility.
- (4) Asking residents about roommate preferences.
- (5) Assigning staff to resident services.
- (6) Granting staff privileges of professionally qualified personnel.
- (7) Permitting utilization of health care at the facility.
- (8) Transferring residents from their rooms.

7/7/2023