

STATE OF NEW YORK

5894

2023-2024 Regular Sessions

IN SENATE

March 21, 2023

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring victims of firearm violence be offered and/or provided psychiatric care

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section
2 2805-aa to read as follows:

3 § 2805-aa. Hospital firearm violence policies and procedures. 1. For
4 the purposes of this section, the term "firearm violence" shall mean any
5 bullet wound, gunshot wound, powder burn, or any other injury arising
6 from or caused by the discharge of a gun or firearm.

7 2. Every general hospital shall: (a) develop, maintain and disseminate
8 written policies and procedures for the identification, assessment,
9 treatment and referral of confirmed or suspected cases of firearm
10 violence; (b) establish, and implement on an ongoing basis, a training
11 program for all nursing, medical, social work and other clinical person-
12 nel, and security personnel working in hospital service units regarding
13 the policies and procedures established pursuant to this section; and
14 (c) designate a staff member to contact psychiatric services identified
15 by the commissioner under subdivision four of this section providing
16 victim assistance to the geographic area served by such hospital to
17 establish the coordination of services to firearm violence victims.

18 3. Upon admittance or commencement of treatment of a confirmed or
19 suspected victim of firearm violence, such hospital shall advise the
20 victim of the availability of psychiatric services relating to firearm
21 violence. If such firearm violence victim requests psychiatric services
22 relating to firearm violence, such hospital shall ensure such psychiat-
23 ric services are provided to the firearm violence victim.

24 4. The commissioner shall promulgate such rules and regulations as may
25 be necessary and proper to carry out effectively the provisions of this

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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section. Prior to promulgating such rules and regulations, the commissioner shall consult with the New York state firearm violence research institute and other such entities and persons as the commissioner deems necessary to develop a model policy for hospitals to utilize in complying with this section and to identify organizations providing psychiatric services relating to firearm violence operating in each hospital's geographic area, a list of which the commissioner shall provide to hospitals with the model policy.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.