

3311

2009-2010 Regular Sessions

I N   S E N A T E

March 16, 2009

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Introduced by Sen. OPPENHEIMER -- 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 hospital domestic  
violence policies and procedures

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The public health law is amended by adding a new section  
2     2805-t to read as follows:  
3     S 2805-T. HOSPITAL DOMESTIC VIOLENCE POLICIES AND PROCEDURES. 1.  
4     EVERY GENERAL HOSPITAL SHALL: (A) DEVELOP, MAINTAIN AND DISSEMINATE  
5     WRITTEN POLICIES AND PROCEDURES FOR THE IDENTIFICATION, ASSESSMENT,  
6     TREATMENT AND REFERRAL OF CONFIRMED OR SUSPECTED CASES OF DOMESTIC  
7     VIOLENCE; (B) ESTABLISH, AND IMPLEMENT ON AN ONGOING BASIS, A TRAINING  
8     PROGRAM FOR ALL CURRENT AND NEW EMPLOYEES REGARDING THE POLICIES AND  
9     PROCEDURES ESTABLISHED PURSUANT TO THIS SECTION; (C) DESIGNATE A STAFF  
10    MEMBER TO COORDINATE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE; AND (D)  
11    CONTACT THE DOMESTIC VIOLENCE OR VICTIM ASSISTANCE ORGANIZATION PROVID-  
12    ING VICTIM ASSISTANCE TO THE GEOGRAPHIC AREA SERVED BY SUCH HOSPITAL TO  
13    ESTABLISH THE COORDINATION OF SERVICES TO DOMESTIC VIOLENCE VICTIMS.  
14    2. UPON ADMITTANCE OR COMMENCEMENT OF TREATMENT OF A CONFIRMED OR  
15    SUSPECTED DOMESTIC VIOLENCE VICTIM, SUCH HOSPITAL SHALL ADVISE THE  
16    VICTIM OF THE AVAILABILITY OF THE SERVICES OF A BATTERED WOMEN'S OR  
17    VICTIM ASSISTANCE ORGANIZATION. IF AFTER RECEIVING SUCH ADVICE THE  
18    DOMESTIC VIOLENCE VICTIM WISHES THE PRESENCE OF A DOMESTIC VIOLENCE OR  
19    VICTIM ASSISTANCE ADVOCATE, SUCH HOSPITAL SHALL CONTACT THE APPROPRIATE  
20    ORGANIZATION AND REQUEST THAT ONE BE PROVIDED.  
21    3. THE COMMISSIONER SHALL PROMULGATE SUCH RULES AND REGULATIONS AS MAY  
22    BE NECESSARY AND PROPER TO CARRY OUT EFFECTIVELY THE PROVISIONS OF THIS  
23    SECTION. PRIOR TO PROMULGATING SUCH RULES AND REGULATIONS, THE COMMIS-  
24    SIONER SHALL CONSULT WITH THE OFFICE FOR THE PREVENTION OF DOMESTIC  
25    VIOLENCE AND OTHER SUCH PERSONS AS THE COMMISSIONER DEEMS NECESSARY.

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

LBD09165-01-9

1     S 2. This act shall take effect January 1, 2010. Effective immediate-  
2 ly, the addition, amendment and/or repeal of any rules or regulations  
3 necessary for the implementation of the foregoing section of this act on  
4 its effective date is authorized and directed to be made and completed  
5 on or before such effective date.