STATE OF NEW YORK

9134

IN ASSEMBLY

January 22, 2020

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to hospital domestic violence policies and procedures; and to amend a chapter of the laws of 2019 amending the public health law relating to hospital domestic violence policies and procedures as proposed in legislative bills numbers S. 3962-A and A. 2850-A, in relation to the effectiveness thereof

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

Section 1. Section 2805-z of the public health law, as added by a chapter of the laws of 2019 amending the public health law relating to hospital domestic violence policies and procedures as proposed in legislative bills numbers S. 3962-A and A. 2850-A, is amended to read as follows:

§ 2805-z. Hospital domestic violence policies and procedures. 1. Every general hospital shall: (a) develop, maintain and disseminate written policies and procedures for the identification, assessment, treatment and referral of confirmed or suspected cases of domestic violence; (b) establish, and implement on an ongoing basis, a training program for all [~~current and new employees~~] **nursing, medical, social work and other clinical personnel, and security personnel working in hospital service units** regarding the policies and procedures established pursuant to this section; **and** (c) designate a staff member to [~~coordinate services to victims of domestic violence; and (d)~~] contact the domestic violence or victim assistance organization **identified by the commissioner under subdivision three of this section** providing victim assistance to the geographic area served by such hospital to establish the coordination of services to domestic violence victims.

2. Upon admittance or commencement of treatment of a confirmed or suspected domestic violence victim, such hospital shall advise the victim of the availability of the services of a domestic violence or victim assistance organization. If after receiving such advice the domestic violence victim wishes the presence of a domestic violence or

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

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victim assistance advocate, such hospital shall contact the appropriate organization and request that one be provided.

3. The commissioner shall promulgate such rules and regulations as may be necessary and proper to carry out effectively the provisions of this section. Prior to promulgating such rules and regulations, the commissioner shall consult with the office for the prevention of domestic violence and other such persons as the commissioner deems necessary to develop a model policy for hospitals to utilize in complying with this section **and to identify the domestic violence or victim assistance organizations operating in each hospital's geographic area, a list of which the commissioner shall provide to hospitals with the model policy**.

§ 2. Section 2 of a chapter of the laws of 2019, amending the public health law relating to hospital domestic violence policies and procedures as proposed in legislative bills numbers S. 3962-A and A. 2850-A, is amended to read as follows:

§ 2. This act shall take effect [~~**on the first of January next succeeding the date on which**~~] **one year after** it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of the foregoing section of this act on its effective date are authorized to be made and completed on or before such effective date.

§ 3. This act shall take effect immediately; provided, however that section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the public health law relating to hospital domestic violence policies and procedures as proposed in legislative bills numbers S. 3962-A and A. 2850-A, takes effect.