

STATE OF NEW YORK

7192

IN SENATE

January 10, 2020

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

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:

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

6 § 2805-z. Hospital domestic violence policies and procedures. 1. Every
7 general hospital shall: (a) develop, maintain and disseminate written
8 policies and procedures for the identification, assessment, treatment
9 and referral of confirmed or suspected cases of domestic violence; (b)
10 establish, and implement on an ongoing basis, a training program for all
11 [~~current and new employees~~ nursing, medical, social work and other
12 clinical personnel, and security personnel working in hospital service
13 units regarding the policies and procedures established pursuant to this
14 section; and (c) designate a staff member to [~~coordinate services to~~
15 ~~victims of domestic violence, and (d)~~] contact the domestic violence or
16 victim assistance organization identified by the commissioner under
17 subdivision three of this section providing victim assistance to the
18 geographic area served by such hospital to establish the coordination of
19 services to domestic violence victims.

20 2. Upon admittance or commencement of treatment of a confirmed or
21 suspected domestic violence victim, such hospital shall advise the
22 victim of the availability of the services of a domestic violence or
23 victim assistance organization. If after receiving such advice the
24 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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1 victim assistance advocate, such hospital shall contact the appropriate
2 organization and request that one be provided.

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

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

16 § 2. This act shall take effect [~~on the first of January next succeed-~~
17 ~~ing the date on which~~] one year after it shall have become a law. Effec-
18 tive immediately, the addition, amendment and/or repeal of any rules or
19 regulations necessary for the implementation of the foregoing section of
20 this act on its effective date are authorized to be made and completed
21 on or before such effective date.

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