

# STATE OF NEW YORK

1907

2019-2020 Regular Sessions

## IN SENATE

January 17, 2019

Introduced by Sen. FUNKE -- 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 hospitals to conduct an annual safety and security assessment and develop a violence prevention program

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 2827 to read as follows:

3 § 2827. Violence prevention program. 1. Within six months of the  
4 effective date of this section, every hospital shall establish a  
5 violence prevention program for the purpose of protecting health care  
6 workers, patients, families and visitors. The program shall, at a mini-  
7 mum, include the requirements set forth in this section.

8 2. Beginning January first, two thousand twenty, all hospitals shall  
9 conduct, not less than annually, a safety and security assessment and  
10 develop a safety and security plan. As part of the plan, a hospital  
11 shall adopt security policies including personnel training policies  
12 designed to protect personnel, patients, and visitors from aggressive or  
13 violent behavior. The assessment shall consider limiting and regulating  
14 visitor access through a secure primary entrance, implementing strong  
15 visitor management programs through the use of visitor screening tech-  
16 nologies that incorporate the issuance of temporary identification badg-  
17 es to all visitors entering the hospital. In conducting the annual  
18 assessment and developing the plan, the hospital shall consult with  
19 affected employees, including the recognized collective bargaining agent  
20 or agents, if any, and members of the hospital medical staff and may  
21 occur through established hospital safety and security committees and  
22 existing labor management committees. Persons regularly assigned to  
23 provide security in a hospital setting shall be adequately trained  
24 regarding the role of security in hospital operations, including the

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

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1 identification of aggressive and violent predicting factors and manage-  
2 ment of violent disturbances.

3 3. The annual safety and security assessment shall include, but not be  
4 limited to, security considerations relating to all of the following:

5 (a) the facility's layout, access restrictions and physical and struc-  
6 tural layout concerns that could lead to endangering the safety of  
7 patients and hospital personnel;

8 (b) the impact of sufficient staffing, including security personnel to  
9 deliver security;

10 (c) adequate policy and training to respond to violent acts;

11 (d) the crime rate in surrounding areas, lighting, and efforts to  
12 cooperate with local law enforcement regarding violent acts in the  
13 facility;

14 (e) protective measures, including communication, alarms and access  
15 control;

16 (f) the handling and identification of disturbed patients, visitors  
17 and employees;

18 (g) the handling of threats and the presence of individuals who may  
19 pose a risk of violence;

20 (h) hospital safety and emergency preparedness;

21 (i) mechanisms for ensuring appropriate safety and security communi-  
22 cation and information sharing between staff; and

23 (j) safety protocols to meet the needs of individuals with mental  
24 illness, violence prevention and de-escalation safeguards.

25 4. The safety and security plan shall specify methods to reduce iden-  
26 tified risks, including training, increased staffing and security,  
27 equipment and facility modifications. Every hospital shall make the  
28 safety and security plan and other aspects of the violence prevention  
29 program available, upon request, to its employees, their designated  
30 representatives and to the department.

31 § 2. This act shall take effect immediately.