STATE OF NEW YORK

474--B

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. CRUZ, DINOWITZ, SEAWRIGHT -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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:

Section 1. The public health law is amended by adding a new section 2831 to read as follows:

§ 2831. Violence prevention program. 1. Within six months of the effective date of this section, every hospital shall establish a violence prevention program for the purpose of protecting health care workers, patients, families and visitors. The program shall, at a minimum, include the requirements set forth in this section.

2. Beginning September first, two thousand twenty-five, all hospitals shall conduct, not less than annually, a safety and security assessment and develop a safety and security plan. As part of the plan, a hospital shall adopt security policies including personnel training policies designed to protect personnel, patients, and visitors from aggressive or violent behavior. The assessment shall consider limiting and regulating visitor access through a secure primary entrance, implementing strong visitor management programs through the use of visitor screening technologies that incorporate the issuance of temporary identification badges to all visitors entering the hospital. In conducting the annual assessment and developing the plan, the hospital shall consult with affected employees, including the recognized collective bargaining agent or agents, if any, and members of the hospital medical staff and may

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

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occur through established hospital safety and security committees and existing labor management committees. Persons regularly assigned to provide security in a hospital setting shall be adequately trained regarding the role of security in hospital operations, including the identification of aggressive and violent predicting factors and management of violent disturbances.

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

(a) the facility's layout, access restrictions and physical and structural layout concerns that could lead to endangering the safety of patients and hospital personnel;

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

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

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

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

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

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

(h) hospital safety and emergency preparedness;

(i) mechanisms for ensuring appropriate safety and security communication and information sharing between staff; and

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

4. The safety and security plan shall specify methods to reduce identified risks, including training, increased staffing and security, equipment and facility modifications. The plan shall provide that each hospital have at least one off-duty law enforcement officer or trained security personnel be present at all times in the emergency department of such hospital. Every hospital shall make the safety and security plan and other aspects of the violence prevention program available, upon request, to its employees, their designated representatives and to the department.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.