STATE OF NEW YORK

474--C

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 -- 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

AN ACT to amend the public health law, in relation to requiring hospitals to 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. Every general hospital shall establish a violence prevention program consistent with the Centers for Medicare and Medicaid Services conditions of participation regarding emergency events (42 C.F.R § 482.15(d)(1) and 24 C.F.R 482.15(a)) and the workplace violence standards of any accrediting organization by the Centers for Medicare and Medicaid Services under which such hospital maintains accreditation provided however, such standards are comparable to those established by The Joint Commission on Health Care Organizations.

2. General hospitals located in a city or county with a population of one million or more shall be required to have at least one off-duty law enforcement officer or trained security personnel be present at all times in the emergency department, except in emergent circumstances that require a large security presence elsewhere in the facility.

3. General hospitals located in a city or county with a population less than one million shall be required to have at least one off-duty

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

LBD02307-06-4

law enforcement officer or trained security personnel on premises at all times in a manner that prioritizes physical presence near, or within close proximity to, the emergency department of such hospital with direct responsibility to the emergency department. The provisions of this subdivision shall not apply to general hospitals designated as critical access hospitals, sole community hospitals or rural emergency hospitals, provided however, if any such hospital experiences increased rates of violence or abuse of emergency department personnel evidenced by internal reporting pursuant to the violence prevention program or reports to law enforcement, the commissioner shall work with such critical access hospital, sole community hospital or rural emergency hospital to come into compliance with the provisions of this subdivision over a reasonable period of time.

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