

# STATE OF NEW YORK

4909--A

2023-2024 Regular Sessions

## IN SENATE

February 17, 2023

Introduced by Sens. SEPULVEDA, CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- 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 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 occur through established hospital safety and security committees and

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

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1 existing labor management committees. Persons regularly assigned to  
2 provide security in a hospital setting shall be adequately trained  
3 regarding the role of security in hospital operations, including the  
4 identification of aggressive and violent predicting factors and manage-  
5 ment of violent disturbances.

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

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

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

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

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

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

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

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

23 (h) hospital safety and emergency preparedness;

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

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

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

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