

STATE OF NEW YORK

4909--B

Cal. No. 833

2023-2024 Regular Sessions

IN SENATE

February 17, 2023

Introduced by Sens. SEPULVEDA, GRIFFO, CLEARE, WEBB -- 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

1 Section 1. The public health law is amended by adding a new section
2 2831 to read as follows:

3 § 2831. Violence prevention program. 1. Every general hospital shall
4 establish a violence prevention program consistent with the Centers for
5 Medicare and Medicaid Services conditions of participation regarding
6 emergency events (42 C.F.R § 482.15(d)(1) and 24 C.F.R 482.15(a)) and
7 the workplace violence standards of any accrediting organization by the
8 Centers for Medicare and Medicaid Services under which such hospital
9 maintains accreditation provided however, such standards are comparable
10 to those established by The Joint Commission on Health Care Organiza-
11 tions.

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

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

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1 3. General hospitals located in a city or county with a population
2 less than one million shall be required to have at least one off-duty
3 law enforcement officer or trained security personnel on premises at all
4 times in a manner that prioritizes physical presence near, or within
5 close proximity to, the emergency department of such hospital with
6 direct responsibility to the emergency department. The provisions of
7 this subdivision shall not apply to general hospitals designated as
8 critical access hospitals, sole community hospitals or rural emergency
9 hospitals, provided however, if any such hospital experiences increased
10 rates of violence or abuse of emergency department personnel evidenced
11 by internal reporting pursuant to the violence prevention program or
12 reports to law enforcement, the commissioner shall work with such crit-
13 ical access hospital, sole community hospital or rural emergency hospi-
14 tal to come into compliance with the provisions of this subdivision over
15 a reasonable period of time.

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