STATE OF NEW YORK

5894--A

2023-2024 Regular Sessions

IN SENATE

March 21, 2023

Introduced by Sens. BAILEY, CHU, COMRIE, HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- 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 victims of firearm violence be offered and/or provided psychiatric care

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 2805-aa to read as follows:

§ 2805-aa. Hospital firearm violence policies and procedures. 1. For the purposes of this section, the term "firearm violence" shall mean any bullet wound, gunshot wound, powder burn, or any other injury arising from or caused by the discharge of a gun or firearm.

2. Every general hospital shall: (a) develop, maintain and disseminate written policies and procedures for the identification, assessment, treatment and referral of confirmed or suspected cases of firearm violence; (b) establish, and implement on an ongoing basis, a training program for all nursing, medical, social work and other clinical personnel, and security personnel working in hospital service units regarding the policies and procedures established pursuant to this section; and (c) designate a staff member to contact psychiatric services identified by the commissioner under subdivision four of this section providing victim assistance to the geographic area served by such hospital to establish the coordination of services to firearm violence victims.

3. Upon discharge from treatment of a confirmed or suspected victim of firearm violence, such hospital shall advise the victim of the availability of psychiatric services relating to firearm violence. If such firearm violence victim requests psychiatric services relating to firearm violence, such hospital shall initiate the coordination of such services.

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

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4. The commissioner shall promulgate such rules and regulations as may be necessary and proper to carry out effectively the provisions of this section. Prior to promulgating such rules and regulations, the commissioner shall consult with the New York state firearm violence research institute and other such entities and persons as the commissioner deems necessary to develop a model policy for hospitals to utilize in complying with this section and to identify organizations providing psychiatric services relating to firearm violence operating in each hospital's geographic area, a list of which the commissioner shall provide to hospitals with the model policy.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.