

# 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:

1 Section 1. The public health law is amended by adding a new section  
2 2805-aa to read as follows:

3 § 2805-aa. Hospital firearm violence policies and procedures. 1. For  
4 the purposes of this section, the term "firearm violence" shall mean any  
5 bullet wound, gunshot wound, powder burn, or any other injury arising  
6 from or caused by the discharge of a gun or firearm.

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

18 3. Upon discharge from treatment of a confirmed or suspected victim of  
19 firearm violence, such hospital shall advise the victim of the avail-  
20 ability of psychiatric services relating to firearm violence. If such  
21 firearm violence victim requests psychiatric services relating to  
22 firearm violence, such hospital shall initiate the coordination of such  
23 services.

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

LBD10353-03-3

1     4. The commissioner shall promulgate such rules and regulations as may  
2 be necessary and proper to carry out effectively the provisions of this  
3 section. Prior to promulgating such rules and regulations, the commis-  
4 sioner shall consult with the New York state firearm violence research  
5 institute and other such entities and persons as the commissioner deems  
6 necessary to develop a model policy for hospitals to utilize in comply-  
7 ing with this section and to identify organizations providing psychiat-  
8 ric services relating to firearm violence operating in each hospital's  
9 geographic area, a list of which the commissioner shall provide to  
10 hospitals with the model policy.

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