

STATE OF NEW YORK

203

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. CRUZ, DINOWITZ, SEAWRIGHT -- read once and referred to the Committee on Health

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 2832 to read as follows:

3 § 2832. 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.

17 3. General hospitals located in a city or county with a population
18 less than one million shall be required to have at least one off-duty
19 law enforcement officer or trained security personnel on premises at all
20 times in a manner that prioritizes physical presence near, or within
21 close proximity to, the emergency department of such hospital with
22 direct responsibility to the emergency department. The provisions of
23 this subdivision shall not apply to general hospitals designated as
24 critical access hospitals, sole community hospitals or rural emergency

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

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1 hospitals, provided however, if any such hospital experiences increased
2 rates of violence or abuse of emergency department personnel evidenced
3 by internal reporting pursuant to the violence prevention program or
4 reports to law enforcement, the commissioner shall work with such crit-
5 ical access hospital, sole community hospital or rural emergency hospi-
6 tal to come into compliance with the provisions of this subdivision over
7 a reasonable period of time.

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