

# STATE OF NEW YORK

203--B

2025-2026 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. CRUZ, DINOWITZ, SEAWRIGHT, HEVESI, KASSAY, KELLES, COLTON, EPSTEIN, DAVILA, SANTABARBARA, HAWLEY, MEEKS, ZACCARO, RAGA -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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. For the purposes of this  
4 section, the term "facility" shall mean a general hospital or a nursing  
5 home as defined in section twenty-eight hundred one of this article.

6 2. Within twelve months of the effective date of this section, every  
7 facility shall establish a workplace violence prevention program. Such  
8 program in a general hospital shall be consistent with regulatory  
9 requirements including the Centers for Medicare and Medicaid Services  
10 Hospital Conditions of Participation regarding caring for patients in a  
11 safe setting 42 CFR § 482.13(c)(2), and emergency preparedness 42 CFR §  
12 482.15(a) and (d)(1), and the workplace violence standards of any  
13 accrediting organization deemed by the Centers for Medicare and Medicaid  
14 Services under which such hospital maintains accreditation provided  
15 however, such standards are comparable to those established by The Joint  
16 Commission. The purpose of such a program shall be to protect health  
17 care workers, patients, facility residents, and visitors. The program  
18 shall, at a minimum, include the requirements set forth in this section.

19 3. Beginning January first, two thousand twenty-seven, all general  
20 hospitals shall conduct, not less than annually, a workplace safety and

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

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1 security assessment and develop a safety and security plan that  
2 addresses identified workplace violence threats or hazards. As part of  
3 the plan, a general hospital shall adopt security measures and policies,  
4 including personnel training policies designed to prevent or minimize  
5 identified workplace violence threats or hazards and protect employees,  
6 patients, and visitors from aggressive or violent behavior, including  
7 but not limited to, credible threats, assaults, injuries, and deaths. In  
8 conducting the assessment and developing the plan, general hospitals  
9 shall ensure the active involvement of employees, including the recog-  
10 nized collective bargaining agent or agents, if any, and may do so  
11 through established general hospital safety and security committees and  
12 existing labor management committees. Nothing in this section shall  
13 diminish, supplant or restrict the rights, privileges and remedies of  
14 any employee or collective bargaining representative under applicable  
15 law, rule or regulation or under the terms of a collective bargaining  
16 agreement.

17 4. The safety and security assessment shall be tailored to the size,  
18 complexity, and local geographical factors affecting the general hospi-  
19 tal and shall identify and consider relevant threats and hazards,  
20 including but not limited to workplace violence incident reports and  
21 incident logs, concerns or complaints raised by employees, patients,  
22 visitors and recognized collective bargaining representatives, safety  
23 and security considerations relating to the general hospital's layout  
24 and access points, visitor management, and protective factors such as  
25 access control, engineering controls to limit violence or protect  
26 employees, alarms and communication systems, and other relevant factors,  
27 as appropriate to the general hospital. Additionally, the assessment  
28 shall consider the adequacy of employee training policies and security  
29 procedures, including the handling of disruptive or violent patients and  
30 other persons. Health care workers regularly assigned to provide securi-  
31 ty in general hospital settings shall be trained regarding the role of  
32 security in overall hospital operations.

33 5. Based on the findings and ongoing review of the workplace violence  
34 assessment, general hospitals shall implement a workplace violence safe-  
35 ty and security plan, which shall be updated as necessary to address  
36 newly identified material risks and changes in conditions. The safety  
37 and security plan shall specify methods to reduce identified risks,  
38 which may include employee training, increased staffing and security,  
39 engineering controls such as barriers, lighting, alarms and communi-  
40 cation systems, safety equipment, general hospital improvements or  
41 modifications, and other appropriate measures relevant to the general  
42 hospital. Each general hospital shall provide a written detailed summary  
43 of the safety and security plan to its employees and collective bargain-  
44 ing representatives, if applicable. Each general hospital shall also  
45 provide information to its employees and collective bargaining represen-  
46 tatives, if applicable, about how to report incidents of workplace  
47 violence. Each general hospital shall share summaries of the incident  
48 log, appropriately redacted to protect the privacy of persons involved  
49 in an incident, trends and analysis of relevant data with the general  
50 hospital security or safety committee responsible for workplace violence  
51 and ensure that the data is part of the workplace violence assessment  
52 process.

53 6. Notwithstanding any provision of this section, compliance by a  
54 nursing home with the federal regulations 42 CFR 483.71(a)(3) and  
55 (b)(1), and 42 CFR 483.73(a)(1), governing nursing homes shall satisfy

1 the requirements of this section for such facilities, provided that such  
2 assessments and plans address workplace violence threats and hazards.

3 § 2. The public health law is amended by adding a new section 2832-a  
4 to read as follows:

5 § 2832-a. Emergency department security. 1. A general hospital located  
6 in a city or county with a population of one million or more shall be  
7 required to have at least one off-duty law enforcement officer or  
8 trained security personnel be present at all times in the emergency  
9 department, subject to emergent circumstance in any hospital that  
10 requires an adjustment in personnel.

11 2. A general hospital located in a city or county with a population  
12 less than one million shall be required to have at least one off-duty  
13 law enforcement officer or trained security personnel on premises at all  
14 times in a manner that prioritizes physical presence near, or within  
15 close proximity to, the emergency department of such hospital with  
16 direct responsibility to the emergency department. This shall not apply  
17 to hospitals designated as critical access hospitals, sole community  
18 hospitals, or rural emergency hospitals. However, if any such hospital  
19 experiences increased rates of violence or abuse of emergency department  
20 personnel, by an amount to be determined by the commissioner, evidenced  
21 by internal reporting pursuant to the violence prevention program or  
22 reports to law enforcement the commissioner shall work with the critical  
23 access hospital, sole community hospital, or rural emergency hospital to  
24 come into compliance with the requirement, to have at least one off-duty  
25 law enforcement officer or trained security personnel on premises at all  
26 times in a manner that prioritizes physical presence near, or within  
27 close proximity to, the emergency department of such hospital with  
28 direct responsibility to the emergency department, over a reasonable  
29 period of time.

30 § 3. This act shall take effect on the two hundred eightieth day after  
31 it shall have become a law.