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

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