

## NYS Legislature Passes New Workplace Violence Protections

### Public Health Law Sections 2832 and 2832-a

Last December, Gov. Hochul signed into law an amendment to the New York State Health Code requiring all general hospitals and nursing homes to develop workplace violence prevention programs.

Unlike the Public Employee Safety & Health's (PESH) Workplace Violence Protection Programs regulation, which covers all public sector workplaces, this law will cover both public and private general hospitals and nursing homes.

The law does not define workplace violence, but it does require compliance with Joint Commission standards. The Joint Commission defines workplace violence as, "an act or threat occurring at the workplace that can include any of the following: verbal, nonverbal, written, or physical aggression; threatening, intimidating, harassing, or humiliating words or actions; bullying; sabotage; sexual harassment; physical assaults; or other behaviors of concern involving staff, licensed practitioners, patients, or visitors."

The law requires the establishment of workplace violence prevention programs that are consistent with the Centers for Medicare and Medicaid Services' (CMS) requirements for safe environments for patients and emergency preparedness regulations. Workplace violence must be included in "all-hazards" risk assessments.

The law requires general hospitals to:

- Conduct workplace safety and health security assessments at least annually.
- Develop security plans that address identified workplace violence.
- Actively involve employees, including recognized collective bargaining agents, in assessment and development of the plan.

The law also lays out what should be included in the safety and security assessment, including documentation and data reviews, incidents that have occurred at the facility, safety and security complaints, the physical layout of the facility, geographical factors, access and visitor management systems, engineering controls, alarms and communication systems.

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**NYSNA's Occupational Health and Safety Representatives will provide more detailed information regarding implementation of this law in the coming months. Any questions can be directed to [healthandsafety@nysna.org](mailto:healthandsafety@nysna.org).**

It requires the workplace violence safety and security plan to include the specific methods that are required to reduce the identified violence risks.

According to the law, a summary of the written plan must be shared with employees and collective bargaining representatives. Summaries of incident trends and analysis of relevant data must also be shared.

Nursing homes can implement their workplace violence prevention program by adding workplace violence prevention plans to their exiting emergency preparedness plans required by CMS. They also must:

- Conduct, at least annually, a facility and community-based risk assessment.
- Ensure active involvement of staff and their unions in conducting their assessment.
- Develop a workplace violence prevention plan that is based on this documented risk assessment.

An addendum to the law also addresses requirements for security personnel in or near emergency departments based on the size of the city or county the hospital is located in and the role of the hospital. Unfortunately, critical access hospitals, sole community hospitals and rural emergency hospitals are exempt from this provision in most cases.

## **NOTHING IN THIS LAW SUPPLANTS OR DIMINISHES ANY RIGHTS UNDER YOUR COLLECTIVE BARGAINING AGREEMENT.**

### **EFFECTIVE DATE AND IMPLEMENTATION TIMELINE:**

- Signed into law by Governor Hochul on December 12, 2025.
- Law's effective date is September 18, 2026.
- General hospital and nursing home employers must begin conducting workplace violence assessments, with employees and union involvement, by January 1, 2027.
- Workplace violence prevention plans must be implemented by September 18, 2027.
- ED security requirements must be implemented by September 18, 2026.

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