

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB24-1066 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3       **"SECTION 1. Legislative declaration.** (1) The general  
4 assembly declares that:

5           (a) Workplace violence in health-care settings has emerged as a  
6 serious occupational and public health concern in Colorado and across the  
7 country;

8           (b) Health-care workers are five times more likely to experience  
9 violence in the workplace compared to other workers;

10           (c) Workplace violence presents in various forms, with:

11              (I) Sixty percent of incidents involving verbal aggression;

12              (II) Thirty-six percent of incidents involving threats;

13              (III) Twenty-nine percent of incidents involving physical  
14 violence; and

15              (IV) Four percent of incidents involving the use of an object or  
16 weapon;

17           (d) There is no single solution to solving workplace violence in  
18 health-care settings, and evidence shows that a holistic approach to  
19 workplace violence is most effective and has proven to decrease violence  
20 in health-care settings;

21           (e) Recommendations from organizations such as the Joint  
22 Commission, which align with the evidence that several approaches to  
23 combating workplace violence are needed, include:

24              (I) Making significant investment in frontline staff in the  
25 assessment, planning, and implementation of a workplace violence  
26 program;

27              (II) Training staff on how to prevent workplace violence;

28              (III) Assessing and implementing security protections within  
29 health-care units; and

30              (IV) Developing and implementing standardized workplace  
31 violence prevention policies and reporting systems;

32           (f) Involving frontline staff in assessing and planning workplace  
33 violence interventions is paramount to the effectiveness of the  
34 intervention;

35           (g) The World Health Organization stresses that workplace  
36 violence prevention training and interventions must go beyond the  
37 individual, and the organization's recommendations align with evidence  
38 showing that health-care organizations need to change their  
39 administrative policies and implement changes within the health-care unit  
40 environment to combat workplace violence; and

5                   **SECTION 2.** In Colorado Revised Statutes, **add** part 9 to article  
6 3 of title 25 as follows:

## PART 9

## VIOLENCE PREVENTION IN HEALTH-CARE SETTINGS

**25-3-901. Short title.** THE SHORT TITLE OF THIS PART 9 IS THE "VIOLENCE PREVENTION IN HEALTH-CARE SETTINGS ACT".

11                   **25-3-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE  
12 CONTEXT OTHERWISE REQUIRES:

13                   (1) "BULLYING" MEANS ANY WRITTEN OR ORAL EXPRESSION,  
14 PHYSICAL OR ELECTRONIC ACT OR GESTURE, OR PATTERN OF THAT  
15 EXPRESSION, ACT, OR GESTURE THAT IS INTENDED TO COERCE, INTIMIDATE,  
16 OR CAUSE ANY PHYSICAL, MENTAL, OR EMOTIONAL HARM TO AN  
17 INDIVIDUAL.

18 (2) "DANGEROUS WEAPON" MEANS:

19 (a) A FIREARM, AS DEFINED IN SECTION 18-1-901 (3)(h);

20 (b) A PELLET GUN, A BB GUN, OR OTHER DEVICE, WHETHER  
21 OPERATIONAL OR NOT, DESIGNED TO PROPEL PROJECTILES BY SPRING  
22 ACTION OR COMPRESSED AIR;

23 (c) A FIXED-BLADE KNIFE WITH A BLADE THAT EXCEEDS THREE  
24 INCHES IN LENGTH;

25 (d) A SPRING-LOADED KNIFE OR A POCKET KNIFE WITH A BLADE  
26 EXCEEDING THREE AND ONE-HALF INCHES IN LENGTH; OR  
27 (e) ANY OBJECT, DEVICE, INSTRUMENT, MATERIAL, OR SUBSTANCE,  
28 WHETHER ANIMATE OR INANIMATE, THAT IS USED OR INTENDED TO BE  
29 USED TO INFILCT DEATH OR SERIOUS BODILY INJURY.

29 USED TO INFILCT DEATH OR SER  
30 (2) "FACILITY" MEANS

30 (3) FACILITY MEANS.  
31 (a) A HOSPITAL LICENCED OR CERTIFIED BY THE DEPARTMENT;

33 SECTION 23-1.5-114;  
34 (c) A NURSING CARE FACILITY.

34 (c) A NURSING CARE FACILITY;  
35 (d) AN ASSISTED LIVING RESIDENCE THAT HAS AT LEAST TWENTY  
36 BEDS; OR

36 BEDS, OR  
37 (e) A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN THE  
38 FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(4), AS  
39 AMENDED.

40 (4) "FACILITY PERSONNEL" MEANS:

41 (a) AN EMPLOYEE OF A FACILITY;

42 (b) A HEALTH-CARE PROVIDER WHO IS CONTRACTED WITH OR  
43 OTHERWISE AUTHORIZED TO PROVIDE HEALTH-CARE SERVICES AT A

1     FACILITY; OR

2             (c) ANY OTHER INDIVIDUAL PERFORMING SERVICES AT A FACILITY.

3             (5) "HARASS" MEANS TO ENGAGE IN A COURSE OF VEXATIOUS  
4     COMMENT OR CONDUCT AGAINST AN INDIVIDUAL THAT IS KNOWN OR  
5     OUGHT REASONABLY TO BE KNOWN TO BE UNWELCOME.

6             (6) "INTIMIDATE" MEANS TO DIRECTLY OR INDIRECTLY INFILCT OR  
7     THREATEN TO INFILCT ANY INJURY, DAMAGE, HARM, OR LOSS UPON AN  
8     INDIVIDUAL.

9             (7) "MULTIDISCIPLINARY TEAM" OR "TEAM" MEANS A TEAM OF  
10    FACILITY PERSONNEL, A MAJORITY OF THE MEMBERS OF WHICH PRIMARILY  
11    PROVIDE DIRECT CARE OR SERVICES TO PATIENTS OR VISITORS OF THE  
12    FACILITY.

13             (8) (a) "WORKPLACE VIOLENCE" MEANS:

14                 (I) VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL AGGRESSION;

15                 (II) THREATENING, INTIMIDATING, HARASSING, OR HUMILIATING  
16     WORDS OR ACTIONS;

17                 (III) BULLYING;

18                 (IV) SABOTAGE;

19                 (V) SEXUAL HARASSMENT;

20                 (VI) PHYSICAL ASSAULT; OR

21                 (VII) OTHER BEHAVIOR OF CONCERN INVOLVING FACILITY  
22     PERSONNEL, PATIENTS, OR VISITORS.

23             (b) "WORKPLACE VIOLENCE" INCLUDES:

24                 (I) ANY ACT DESCRIBED IN SUBSECTION (8)(a) OF THIS SECTION  
25     THAT OCCURS BETWEEN FACILITY PERSONNEL, INCLUDING WHEN THE  
26     ALLEGED PERPETRATOR IS A SUPERIOR OR SUPERVISOR OF FACILITY  
27     PERSONNEL; AND

28                 (II) AN INCIDENT INVOLVING THE USE OF A DANGEROUS WEAPON,  
29     REGARDLESS OF WHETHER FACILITY PERSONNEL ARE INJURED BY THE  
30     WEAPON.

31             (c) "WORKPLACE VIOLENCE" DOES NOT INCLUDE AN ACT OF  
32     SELF-ADVOCACY THAT IS WITHIN AN INDIVIDUAL'S LEGAL RIGHT TO  
33     PURSUE, INCLUDING WHEN AN INDIVIDUAL THREATENS TO PURSUE LEGAL  
34     ACTION OR TO FILE A GRIEVANCE OR COMPLAINT WITH A REGULATORY OR  
35     ACCREDITATION BODY.

36             (9) "WORKPLACE VIOLENCE PREVENTION PROGRAM" OR  
37     "PROGRAM" MEANS A PROGRAM OR PLAN DEVELOPED IN ACCORDANCE  
38     WITH SECTION 25-3-903 TO PREVENT, MITIGATE, AND RESPOND TO ACTS OF  
39     WORKPLACE VIOLENCE OR THREATS OF WORKPLACE VIOLENCE AT A  
40     FACILITY.

41             **25-3-903. Workplace violence prevention program - contents**  
42             **- training - annual review.** (1) (a) EACH FACILITY SHALL ESTABLISH A  
43     WORKPLACE VIOLENCE PREVENTION PROGRAM THAT IS LED BY AN

1 INDIVIDUAL DESIGNATED BY THE FACILITY AND IS DEVELOPED BY A  
2 MULTIDISCIPLINARY TEAM.

3 (b) A FACILITY'S WORKPLACE VIOLENCE PREVENTION PROGRAM  
4 MUST:

5 (I) ESTABLISH WRITTEN POLICIES AND PROCEDURES TO PREVENT,  
6 MITIGATE, AND RESPOND TO INCIDENTS OF WORKPLACE VIOLENCE, WHICH  
7 POLICIES AND PROCEDURES MUST BE REVIEWED AND EVALUATED AT LEAST  
8 ANNUALLY;

9 (II) ESTABLISH A STANDARDIZED AND STREAMLINED PROCESS FOR  
10 FACILITY PERSONNEL, PATIENTS, AND VISITORS TO REPORT INCIDENTS OF  
11 WORKPLACE VIOLENCE THAT:

12 (A) ALLOWS AT LEAST SEVEN DAYS TO COMPLETE AN INCIDENT  
13 REPORT FILING;

14 (B) CONSISTENTLY PROVIDES ADMINISTRATIVE SUPPORT TO  
15 FACILITY PERSONNEL TO ENSURE THEIR ABILITY TO RESPOND TO INTERNAL  
16 AND EXTERNAL REQUIREMENTS FOR REPORTING WORKPLACE VIOLENCE;

17 (C) ENABLES FACILITY PERSONNEL, WHEN REPORTING AN INCIDENT  
18 OF WORKPLACE VIOLENCE THROUGH THE FACILITY'S EXISTING  
19 OCCURRENCE REPORTING SYSTEMS, TO REPORT THE INCIDENT WITHOUT  
20 DISCLOSING A PATIENT'S, FACILITY PERSONNEL MEMBER'S, OR  
21 VOLUNTEER'S PERSONALLY IDENTIFIABLE INFORMATION; AND

22 (D) ALLOWS FOR THE ANALYSIS OF WORKPLACE VIOLENCE  
23 INCIDENTS AND TRENDS;

24 (III) INCLUDE A PROCESS TO FOLLOW UP WITH AND SUPPORT  
25 FACILITY PERSONNEL AND WITNESSES AFFECTED BY AN INCIDENT OF  
26 WORKPLACE VIOLENCE, INCLUDING TRAUMA AND PSYCHOLOGICAL  
27 COUNSELING, IF NECESSARY; AND

28 (IV) REQUIRE REPORTING OF WORKPLACE VIOLENCE INCIDENTS  
29 AND UPDATES TO THE WORKPLACE VIOLENCE PREVENTION PROGRAM TO  
30 THE FACILITY'S GOVERNING BODY.

31 (2) (a) THE MULTIDISCIPLINARY TEAM THAT LEADS A FACILITY'S  
32 WORKPLACE VIOLENCE PREVENTION PROGRAM SHALL CONDUCT AN  
33 ANNUAL WORKSITES ANALYSIS TO DETERMINE WHETHER THERE ARE  
34 WORKPLACE VIOLENCE SAFETY AND SECURITY RISKS AT THE FACILITY. A  
35 FACILITY SHALL TAKE ACTIONS TO MITIGATE OR RESOLVE WORKPLACE  
36 VIOLENCE SAFETY AND SECURITY RISKS BASED ON FINDINGS FROM THE  
37 ANALYSIS AND AS REFLECTED IN THE PROGRAM.

38 (b) THE ANALYSIS CONDUCTED PURSUANT TO THIS SUBSECTION (2)  
39 MUST:

40 (I) BE BASED ON INDIVIDUAL PRACTICE SETTINGS, INCLUDING  
41 SPECIFIC ATTRIBUTES OF A PRACTICE SETTING; AND

42 (II) ANALYZE STAFFING, INCLUDING INDIVIDUAL STAFFING  
43 PATTERNS AND PATIENT CLASSIFICATIONS, EMERGENCY RESPONSE  
44 PROTOCOLS, SECURITY PERSONNEL AVAILABILITY, AND SECURITY RISKS

1 ASSOCIATED WITH SPECIFIC UNITS OR PROGRAMS IN A FACILITY.

2 (3) (a) A FACILITY'S MULTIDISCIPLINARY TEAM SHALL ESTABLISH  
3 A PROCESS FOR CONTINUALLY MONITORING FOR, INTERNAL REPORTING OF,  
4 AND INVESTIGATING INCIDENTS OF WORKPLACE VIOLENCE INVOLVING  
5 PATIENTS, FACILITY PERSONNEL, OR OTHERS WITHIN THE FACILITY.

6 (b) AS PART OF THE PROCESS ESTABLISHED PURSUANT TO THIS  
7 SUBSECTION (3), THE TEAM SHALL CONDUCT QUARTERLY REVIEWS OF  
8 INCIDENTS OF WORKPLACE VIOLENCE THAT OCCURRED AT THE FACILITY IN  
9 THE IMMEDIATELY PRECEDING QUARTER AND DOCUMENT ANY UPDATES TO  
10 THE WORKPLACE VIOLENCE PREVENTION PROGRAM THAT RESULT FROM  
11 THE REVIEW. THE TEAM SHALL ACCEPT ANY INFORMATION ON INCIDENTS  
12 OF WORKPLACE VIOLENCE AT THE FACILITY FROM FACILITY PERSONNEL,  
13 PATIENTS, OR OTHERS.

14 (4) (a) AS PART OF ITS WORKPLACE VIOLENCE PREVENTION  
15 PROGRAM, A FACILITY SHALL PROVIDE ANNUAL TRAINING, EDUCATION,  
16 AND RESOURCES TO FACILITY LEADERSHIP, INCLUDING THE MEMBERS OF  
17 THE GOVERNING BOARD, AND FACILITY PERSONNEL. IN ADDITION TO  
18 PROVIDING THE TRAINING, EDUCATION, AND RESOURCES ANNUALLY, THE  
19 FACILITY SHALL PROVIDE TRAINING, EDUCATION, AND RESOURCES:

20 (I) WITHIN NINETY DAYS AFTER ANY CHANGES OR UPDATES ARE  
21 MADE REGARDING THE WORKPLACE VIOLENCE PREVENTION PROGRAM;  
22 AND

23 (II) (A) FOR FACILITY PERSONNEL, WHEN INITIALLY HIRED,  
24 CONTRACTED, OR AUTHORIZED TO PROVIDE HEALTH-CARE OR OTHER  
25 SERVICES AT THE FACILITY; AND

26 (B) FOR MEMBERS OF FACILITY LEADERSHIP AND OF THE  
27 GOVERNING BOARD, WHEN THE MEMBER IS APPOINTED TO THE LEADERSHIP  
28 OR GOVERNING BOARD POSITION.

29 (b) A FACILITY'S TEAM SHALL DETERMINE THE ASPECTS OF  
30 TRAINING THAT ARE APPROPRIATE FOR INDIVIDUALS BASED ON THEIR  
31 ROLES, RESPONSIBILITIES, AND PRACTICE SETTING.

32 (c) THE TRAINING, EDUCATION, AND RESOURCES MUST ADDRESS  
33 PREVENTION OF, RECOGNITION OF, RESPONSE TO, RECOVERY FROM, AND  
34 REPORTING OF WORKPLACE VIOLENCE AS FOLLOWS:

35 (I) AN EXPLANATION OF WHAT CONSTITUTES WORKPLACE  
36 VIOLENCE AND AN OVERVIEW OF THE FACILITY'S WORKPLACE VIOLENCE  
37 PREVENTION PROGRAM;

38 (II) EDUCATION ON THE ROLES AND RESPONSIBILITIES OF FACILITY  
39 LEADERSHIP, CLINICAL STAFF, SECURITY PERSONNEL, AND EXTERNAL LAW  
40 ENFORCEMENT;

41 (III) TRAINING IN DE-ESCALATION, NONPHYSICAL INTERVENTION  
42 SKILLS, PHYSICAL INTERVENTION TECHNIQUES, AND RESPONSE TO  
43 EMERGENCY INCIDENTS;

44 (IV) THE PROCESS FOR REPORTING INCIDENTS OF WORKPLACE

1 VIOLENCE; AND

2 (V) TRAINING IN VIOLENCE PREDICTING BEHAVIORS AND  
3 INFORMATION ON HOW TO INTERACT WITH PATIENTS WITH SPECIFIC  
4 HEALTH CONDITIONS, TRAUMA-INFORMED CARE, AND STRATEGIES TO  
5 PREVENT HARM.

6 (d) THE TRAINING MUST ALSO INCLUDE:

7 (I) INFORMATION ABOUT RIGHTS AND RESPONSIBILITIES UNDER THE  
8 "WORKERS' COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF  
9 TITLE 8, INCLUDING:

10 (A) THE REQUIREMENT FOR A FACILITY TO REPORT AN INJURY  
11 SUSTAINED DURING THE COURSE AND SCOPE OF EMPLOYMENT TO THE  
12 DIVISION OF WORKERS' COMPENSATION IN THE DEPARTMENT OF LABOR  
13 AND EMPLOYMENT AND THE TIME BY WHICH A FACILITY MUST REPORT THE  
14 INJURY;

15 (B) THE TIME FRAME WITHIN WHICH AND THE FORM IN WHICH  
16 FACILITY PERSONNEL MUST REPORT AN INJURY TO THE FACILITY, THE  
17 CONSEQUENCES FOR FAILING TO REPORT AN INJURY WITHIN THE SPECIFIED  
18 TIME FRAME, AND THE STATUTE OF LIMITATIONS FOR FILING A CLAIM FOR  
19 BENEFITS;

20 (C) INFORMATION ABOUT HOW AND WHERE TO FILE A CLAIM FOR  
21 BENEFITS, INCLUDING THE ABILITY TO FILE A CLAIM DIRECTLY WITH THE  
22 DIVISION OF WORKERS' COMPENSATION;

23 (D) INFORMATION ABOUT THE ABILITY OF FACILITY PERSONNEL TO  
24 CHOOSE A MEDICAL OR BEHAVIORAL HEALTH PROVIDER WHEN RECEIVING  
25 SERVICES; AND

26 (E) INFORMATION ABOUT ELIGIBILITY FOR BENEFITS, INCLUDING  
27 THAT FACILITY PERSONNEL PROVIDING SERVICES UNDER A CONTRACT  
28 WITH A FACILITY MAY BE ELIGIBLE FOR COVERAGE UNDER THE FACILITY'S  
29 WORKERS' COMPENSATION INSURANCE; AND

30 (II) INFORMATION ABOUT RIGHTS AND RESPONSIBILITIES UNDER  
31 THE "PAID FAMILY AND MEDICAL LEAVE INSURANCE ACT", PART 5 OF  
32 ARTICLE 13.3 OF TITLE 8, INCLUDING INFORMATION ABOUT ELIGIBILITY  
33 FOR LEAVE AND BENEFITS UNDER THE ACT.

34 (5) A FACILITY SHALL MAKE WORKPLACE VIOLENCE POLICIES AND  
35 PROCEDURES AVAILABLE TO FACILITY PERSONNEL.

36 **25-3-904. Responding to workplace violence incidents -**  
37 **prohibited acts.** (1) EACH FACILITY SHALL HAVE AND USE A  
38 STANDARDIZED APPROACH TO RESPONDING TO INCIDENTS OF WORKPLACE  
39 VIOLENCE THAT IS BASED ON THE FOLLOWING PRINCIPLES:

40 (a) EACH INCIDENT OF WORKPLACE VIOLENCE MUST BE ADDRESSED  
41 INDIVIDUALLY, TAKING INTO CONSIDERATION THE SPECIFIC  
42 CIRCUMSTANCES OF THE INCIDENT;

43 (b) THE RESPONSE TO THE INCIDENT BY INDIVIDUALS IN

1 LEADERSHIP POSITIONS OR WHO ARE OTHERWISE AUTHORIZED TO RESPOND  
2 ON BEHALF OF THE FACILITY MUST INCLUDE ENGAGEMENT WITH FACILITY  
3 PERSONNEL WHO ARE IMPACTED BY AN INCIDENT OF WORKPLACE  
4 VIOLENCE IN A MANNER THAT DEMONSTRATES THE FACILITY'S  
5 COMMITMENT TO OPEN AND AUTHENTIC COMMUNICATION, TO  
6 INTENTIONAL COLLABORATION IN DETERMINING A MEANINGFUL RESPONSE  
7 TO THE INCIDENT AND ITS EFFECTS ON THE WORKPLACE AND FACILITY  
8 PERSONNEL, AND TO ASCERTAINING APPROPRIATE STAFFING  
9 ALTERNATIVES FOR FACILITY PERSONNEL IMPACTED BY THE INCIDENT;

10 (c) FACILITY PERSONNEL MUST BE SUPPORTED IN OBTAINING ANY  
11 MENTAL HEALTH AND HEALTH-CARE SERVICES NEEDED TO RECOVER FROM  
12 AN INCIDENT OF WORKPLACE VIOLENCE, WHICH MAY INCLUDE PAID TIME  
13 OFF, PEER SUPPORT, CARE COORDINATION, AND TIME AND SPACE TO MAKE  
14 DECISIONS ABOUT AVAILABLE OPTIONS FOR THE INDIVIDUAL MEMBER OF  
15 FACILITY PERSONNEL; AND

16 (d) THE FACILITY MUST ADJUST PATIENT CARE ASSIGNMENTS TO  
17 THE EXTENT PRACTICABLE IN ORDER TO PREVENT A MEMBER OF FACILITY  
18 PERSONNEL FROM TREATING OR PROVIDING SERVICES TO A PATIENT WHO  
19 HAS INTENTIONALLY PHYSICALLY ABUSED OR THREATENED THE MEMBER  
20 OF FACILITY PERSONNEL.

21 (2) A FACILITY SHALL NOT DISCOURAGE FACILITY PERSONNEL  
22 FROM EXERCISING THEIR RIGHT TO CONTACT OR FILE A REPORT WITH LAW  
23 ENFORCEMENT OR ANY REGULATORY BODY REGARDING AN INCIDENT OF  
24 WORKPLACE VIOLENCE.

25 (3) A PERSON SHALL NOT DISCIPLINE, INCLUDING BY SUSPENSION  
26 OR TERMINATION OF EMPLOYMENT, DISCRIMINATE AGAINST, OR RETALIATE  
27 AGAINST ANOTHER PERSON WHO:

28 (a) IN GOOD FAITH REPORTS AN INCIDENT OF WORKPLACE  
29 VIOLENCE;

30 (b) ADVISES A MEMBER OF FACILITY PERSONNEL OF THE MEMBER'S  
31 RIGHT TO REPORT AN INCIDENT OF WORKPLACE VIOLENCE; OR

32 (c) CHOOSES TO NOT REPORT AN INCIDENT OF WORKPLACE  
33 VIOLENCE TO LAW ENFORCEMENT.

34 **25-3-905. Reporting.** (1) BY JULY 1, 2025, AND BY EACH JULY 1  
35 THEREAFTER, EACH FACILITY SHALL SUBMIT AN ANNUAL REPORT OF  
36 WORKPLACE VIOLENCE INCIDENTS TO THE DEPARTMENT IN A MANNER  
37 DETERMINED BY THE DEPARTMENT. REPORTS MUST INCLUDE, AT A  
38 MINIMUM:

39 (a) THE FACILITY AND LOCATION WITHIN THE FACILITY WHERE AN  
40 INCIDENT OCCURRED;

41 (b) THE TYPE OF WORKPLACE VIOLENCE INCIDENT, SUCH AS  
42 WHETHER IT WAS STAFF ON STAFF, PATIENT ON STAFF, OR OTHER  
43 INDIVIDUAL AT THE FACILITY ON STAFF;

1 (c) THE NATURE OF THE WORKPLACE VIOLENCE INCIDENT, SUCH AS  
2 SEXUAL, PHYSICAL, OR A THREAT, AND WHETHER THE INCIDENT RESULTED  
3 IN BODILY INJURY OR OTHER PHYSICAL OR PSYCHOLOGICAL TRAUMA; AND  
4 (d) THE STAFF TO PATIENT RATIO AT THE TIME OF THE INCIDENT

(3) THE STAFF-TO-PATIENT RATIO AT THE TIME OF THE INCIDENT;  
(3) STARTING JANUARY 1, 2026, AND BY EACH JANUARY 1,

14                   **SECTION 3.** In Colorado Revised Statutes, **add** 27-50-305 as  
15 follows:

16           **27-50-305. Workplace violence prevention - program -**  
17   **incident reports - definitions - short title - legislative declaration.**

18 (1) **Short title.** THE SHORT TITLE OF THIS SECTION IS THE "VIOLENCE  
19 PREVENTION IN BEHAVIORAL HEALTH SETTINGS ACT".

20                   **(2) Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT  
21                   OTHERWISE REQUIRES:

22 (a) "BEHAVIORAL HEALTH SERVICES" MEANS DIAGNOSTIC,  
23 THERAPEUTIC, OR PSYCHOLOGICAL SERVICES FOR BEHAVIORAL HEALTH  
24 CONDITIONS.

30 (c) "DANGEROUS WEAPON" MEANS:

31 (I) A FIREARM AS DEFINED IN SECTION 18-1-901 (3)(h);

(II) A PELLET GUN, A BB GUN, OR OTHER DEVICE, WHETHER OPERATIONAL OR NOT, DESIGNED TO PROPEL PROJECTILES BY SPRING ACTION OR COMPRESSED AIR;

35 (III) A FIXED-BLADE KNIFE WITH A BLADE THAT EXCEEDS THREE  
36 INCHES IN LENGTH:

36 INCHES IN LENGTH;  
37 (IV) A SPRING-LOADED KNIFE OR A POCKET KNIFE WITH A BLADE  
38 EXCEEDING THREE AND ONE-HALF INCHES IN LENGTH; OR

38 EXCEEDING THREE AND ONE-HALF INCHES IN LENGTH, OR  
39 (V) ANY OBJECT, DEVICE, INSTRUMENT, MATERIAL, OR  
40 SUBSTANCE, WHETHER ANIMATE OR INANIMATE, THAT IS USED OR  
41 INTENDED TO BE USED TO INFILCT DEATH OR SERIOUS BODILY INJURY.

42 (d) "FACILITY" MEANS A COMPREHENSIVE COMMUNITY  
43 BEHAVIORAL HEALTH PROVIDER THAT IS A FACILITY

8 (f) "HARASS" MEANS TO ENGAGE IN A COURSE OF VEXATIOUS  
9 COMMENT OR CONDUCT AGAINST AN INDIVIDUAL THAT IS KNOWN OR  
10 OUGHT REASONABLY TO BE KNOWN TO BE UNWELCOME.

11 (g) "INTIMIDATE" MEANS TO DIRECTLY OR INDIRECTLY INFILCT OR  
12 THREATEN TO INFILCT ANY INJURY, DAMAGE, HARM, OR LOSS UPON AN  
13 INDIVIDUAL.

14 (h) "LICENSED PROFESSIONAL BEHAVIORAL HEALTH PROVIDER"  
15 MEANS A BEHAVIORAL HEALTH PROVIDER WHO IS A LICENSED  
16 PROFESSIONAL PROVIDING BEHAVIORAL HEALTH SERVICES.

17 (i) "MULTIDISCIPLINARY TEAM" OR "TEAM" MEANS A TEAM OF  
18 FACILITY PERSONNEL, A MAJORITY OF THE MEMBERS OF WHICH PRIMARILY  
19 PROVIDE DIRECT CARE OR SERVICES TO PATIENTS OR VISITORS OF THE  
20 FACILITY.

21 (j) (I) "WORKPLACE VIOLENCE" MEANS:

22 (A) VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL AGGRESSION;  
23 (B) THREATENING, INTIMIDATING, HARASSING, OR HUMILIATING  
24 WORDS OR ACTIONS;

25 (C) BULLYING;  
26 (D) SABOTAGE;  
27 (E) SEXUAL HARASSMENT;  
28 (F) PHYSICAL ASSAULT; OR

29 (G) OTHER BEHAVIOR OF CONCERN INVOLVING FACILITY  
30 PERSONNEL, PATIENTS, OR VISITORS.

31 (II) "WORKPLACE VIOLENCE" INCLUDES:  
32 (A) ANY ACT DESCRIBED IN SUBSECTION (2)(j)(I) OF THIS SECTION  
33 THAT OCCURS BETWEEN FACILITY PERSONNEL, INCLUDING WHEN THE  
34 ALLEGED PERPETRATOR IS A SUPERIOR OR SUPERVISOR OF FACILITY  
35 PERSONNEL; AND

36 (B) AN INCIDENT INVOLVING THE USE OF A DANGEROUS WEAPON,  
37 REGARDLESS OF WHETHER FACILITY PERSONNEL ARE INJURED BY THE  
38 WEAPON.

39 (III) "WORKPLACE VIOLENCE" DOES NOT INCLUDE AN ACT OF  
40 SELF-ADVOCACY THAT IS WITHIN AN INDIVIDUAL'S LEGAL RIGHT TO  
41 PURSUE, INCLUDING WHEN AN INDIVIDUAL THREATENS TO PURSUE LEGAL  
42 ACTION OR TO FILE A GRIEVANCE OR COMPLAINT WITH A REGULATORY OR  
43 ACCREDITATION BODY.

44 (k) "WORKPLACE VIOLENCE PREVENTION PROGRAM" OR

1 "PROGRAM" MEANS A PROGRAM OR PLAN DEVELOPED IN ACCORDANCE  
2 WITH SUBSECTION (3) OF THIS SECTION TO PREVENT, MITIGATE, AND  
3 RESPOND TO ACTS OF WORKPLACE VIOLENCE OR THREATS OF WORKPLACE  
4 VIOLENCE AT A FACILITY.

5 **(3) Workplace violence prevention program.** (a) EACH  
6 FACILITY SHALL ESTABLISH A WORKPLACE VIOLENCE PREVENTION  
7 PROGRAM THAT IS LED BY AN INDIVIDUAL DESIGNATED BY THE FACILITY  
8 AND IS DEVELOPED BY A MULTIDISCIPLINARY TEAM.

9 (b) A FACILITY'S WORKPLACE VIOLENCE PREVENTION PROGRAM  
10 MUST:

11 (I) ESTABLISH WRITTEN POLICIES AND PROCEDURES TO PREVENT,  
12 MITIGATE, AND RESPOND TO INCIDENTS OF WORKPLACE VIOLENCE, WHICH  
13 POLICIES AND PROCEDURES MUST BE REVIEWED AND EVALUATED AT LEAST  
14 ANNUALLY;

15 (II) ESTABLISH A STANDARDIZED AND STREAMLINED PROCESS FOR  
16 FACILITY PERSONNEL, PATIENTS, AND VISITORS TO REPORT INCIDENTS OF  
17 WORKPLACE VIOLENCE THAT:

18 (A) ALLOWS AT LEAST SEVEN DAYS TO COMPLETE AN INCIDENT  
19 REPORT FILING;

20 (B) CONSISTENTLY PROVIDES ADMINISTRATIVE SUPPORT TO  
21 FACILITY PERSONNEL TO ENSURE THEIR ABILITY TO RESPOND TO INTERNAL  
22 AND EXTERNAL REQUIREMENTS FOR REPORTING WORKPLACE VIOLENCE;

23 (C) ENABLES FACILITY PERSONNEL, WHEN REPORTING AN INCIDENT  
24 OF WORKPLACE VIOLENCE THROUGH THE FACILITY'S EXISTING  
25 OCCURRENCE REPORTING SYSTEMS, TO REPORT THE INCIDENT WITHOUT  
26 DISCLOSING A PATIENT'S, FACILITY PERSONNEL MEMBER'S, OR  
27 VOLUNTEER'S PERSONALLY IDENTIFIABLE INFORMATION; AND

28 (D) ALLOWS FOR THE ANALYSIS OF WORKPLACE VIOLENCE  
29 INCIDENTS AND TRENDS;

30 (III) INCLUDE A PROCESS TO FOLLOW UP WITH AND SUPPORT  
31 FACILITY PERSONNEL AND WITNESSES AFFECTED BY AN INCIDENT OF  
32 WORKPLACE VIOLENCE, INCLUDING TRAUMA AND PSYCHOLOGICAL  
33 COUNSELING, IF NECESSARY; AND

34 (IV) REQUIRE REPORTING OF WORKPLACE VIOLENCE INCIDENTS  
35 AND UPDATES TO THE WORKPLACE VIOLENCE PREVENTION PROGRAM TO  
36 THE FACILITY'S GOVERNING BODY.

37 **(4) Annual worksite analysis.** (a) THE MULTIDISCIPLINARY TEAM  
38 THAT LEADS A FACILITY'S WORKPLACE VIOLENCE PREVENTION PROGRAM  
39 SHALL CONDUCT AN ANNUAL WORKSITE ANALYSIS TO DETERMINE  
40 WHETHER THERE ARE WORKPLACE VIOLENCE SAFETY AND SECURITY RISKS  
41 AT THE FACILITY. A FACILITY SHALL TAKE ACTIONS TO MITIGATE OR  
42 RESOLVE WORKPLACE VIOLENCE SAFETY AND SECURITY RISKS BASED ON  
43 FINDINGS FROM THE ANALYSIS AND AS REFLECTED IN THE PROGRAM.

1 (b) THE ANALYSIS CONDUCTED PURSUANT TO THIS SUBSECTION (4)  
2 MUST:

3 (I) BE BASED ON INDIVIDUAL PRACTICE SETTINGS, INCLUDING  
4 SPECIFIC ATTRIBUTES OF A PRACTICE SETTING; AND

5 (II) ANALYZE STAFFING, INCLUDING INDIVIDUAL STAFFING  
6 PATTERNS AND PATIENT CLASSIFICATIONS, EMERGENCY RESPONSE  
7 PROTOCOLS, SECURITY PERSONNEL AVAILABILITY, AND SECURITY RISKS  
8 ASSOCIATED WITH SPECIFIC UNITS OR PROGRAMS IN A FACILITY.

29 (I) WITHIN NINETY DAYS AFTER ANY CHANGES OR UPDATES ARE  
30 MADE REGARDING THE WORKPLACE VIOLENCE PREVENTION PROGRAM;  
31 AND

32                   (II) (A) FOR FACILITY PERSONNEL, WHEN INITIALLY HIRED,  
33 CONTRACTED, OR AUTHORIZED TO PROVIDE HEALTH-CARE OR OTHER  
34 SERVICES AT THE FACILITY; AND

35 (B) FOR MEMBERS OF FACILITY LEADERSHIP AND OF THE  
36 GOVERNING BOARD, WHEN THE MEMBER IS APPOINTED TO THE LEADERSHIP  
37 OR GOVERNING BOARD POSITION.

38 (b) A FACILITY'S TEAM SHALL DETERMINE THE ASPECTS OF  
39 TRAINING THAT ARE APPROPRIATE FOR INDIVIDUALS BASED ON THEIR  
40 ROLES, RESPONSIBILITIES, AND PRACTICE SETTING.

41 (c) THE TRAINING, EDUCATION, AND RESOURCES MUST ADDRESS  
42 PREVENTION, RECOGNITION OF, RESPONSE TO, RECOVERY FROM, AND  
43 REPORTING OF WORKPLACE VIOLENCE AS FOLLOWS:

1                   (I) AN EXPLANATION OF WHAT CONSTITUTES WORKPLACE  
2 VIOLENCE AND AN OVERVIEW OF THE FACILITY'S WORKPLACE VIOLENCE  
3 PREVENTION PROGRAM;

4                   (II) EDUCATION ON THE ROLES AND RESPONSIBILITIES OF FACILITY  
5 LEADERSHIP, CLINICAL STAFF, SECURITY PERSONNEL, AND EXTERNAL LAW  
6 ENFORCEMENT;

7                   (III) TRAINING IN DE-ESCALATION, NONPHYSICAL INTERVENTION  
8 SKILLS, PHYSICAL INTERVENTION TECHNIQUES, AND RESPONSE TO  
9 EMERGENCY INCIDENTS;

10                  (IV) THE PROCESS FOR REPORTING INCIDENTS OF WORKPLACE  
11 VIOLENCE; AND

12                  (V) TRAINING IN VIOLENCE PREDICTING BEHAVIORS AND  
13 INFORMATION ON HOW TO INTERACT WITH PATIENTS WITH SPECIFIC  
14 HEALTH CONDITIONS, TRAUMA-INFORMED CARE, AND STRATEGIES TO  
15 PREVENT HARM.

16                  (d) THE TRAINING MUST ALSO INCLUDE:

17                  (I) INFORMATION ABOUT RIGHTS AND RESPONSIBILITIES UNDER THE  
18 "WORKERS' COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF  
19 TITLE 8, INCLUDING:

20                  (A) THE REQUIREMENT FOR A FACILITY TO REPORT AN INJURY  
21 SUSTAINED DURING THE COURSE AND SCOPE OF EMPLOYMENT TO THE  
22 DIVISION OF WORKERS' COMPENSATION IN THE DEPARTMENT OF LABOR  
23 AND EMPLOYMENT AND THE TIME BY WHICH A FACILITY MUST REPORT THE  
24 INJURY;

25                  (B) THE TIME FRAME WITHIN WHICH AND THE FORM IN WHICH  
26 FACILITY PERSONNEL MUST REPORT AN INJURY TO THE FACILITY, THE  
27 CONSEQUENCES FOR FAILING TO REPORT AN INJURY WITHIN THE SPECIFIED  
28 TIME FRAME, AND THE STATUTE OF LIMITATIONS FOR FILING A CLAIM FOR  
29 BENEFITS;

30                  (C) INFORMATION ABOUT HOW AND WHERE TO FILE A CLAIM FOR  
31 BENEFITS, INCLUDING THE ABILITY TO FILE A CLAIM DIRECTLY WITH THE  
32 DIVISION OF WORKERS' COMPENSATION;

33                  (D) INFORMATION ABOUT THE ABILITY OF FACILITY PERSONNEL TO  
34 CHOOSE A MEDICAL OR BEHAVIORAL HEALTH PROVIDER WHEN RECEIVING  
35 SERVICES; AND

36                  (E) INFORMATION ABOUT ELIGIBILITY FOR BENEFITS, INCLUDING  
37 THAT FACILITY PERSONNEL PROVIDING SERVICES UNDER A CONTRACT  
38 WITH A FACILITY MAY BE ELIGIBLE FOR COVERAGE UNDER THE FACILITY'S  
39 WORKERS' COMPENSATION INSURANCE; AND

40                  (II) INFORMATION ABOUT RIGHTS AND RESPONSIBILITIES UNDER  
41 THE "PAID FAMILY AND MEDICAL LEAVE INSURANCE ACT", PART 5 OF  
42 ARTICLE 13.3 OF TITLE 8, INCLUDING INFORMATION ABOUT ELIGIBILITY  
43 FOR LEAVE AND BENEFITS UNDER THE ACT.

8 (a) EACH INCIDENT OF WORKPLACE VIOLENCE MUST BE ADDRESSED  
9 INDIVIDUALLY, TAKING INTO CONSIDERATION THE SPECIFIC  
10 CIRCUMSTANCES OF THE INCIDENT;

11 (b) THE RESPONSE TO THE INCIDENT BY INDIVIDUALS IN  
12 LEADERSHIP POSITIONS OR WHO ARE OTHERWISE AUTHORIZED TO RESPOND  
13 ON BEHALF OF THE FACILITY MUST INCLUDE ENGAGEMENT WITH FACILITY  
14 PERSONNEL WHO ARE IMPACTED BY AN INCIDENT OF WORKPLACE  
15 VIOLENCE IN A MANNER THAT DEMONSTRATES THE FACILITY'S  
16 COMMITMENT TO OPEN AND AUTHENTIC COMMUNICATION, TO  
17 INTENTIONAL COLLABORATION IN DETERMINING A MEANINGFUL RESPONSE  
18 TO THE INCIDENT AND ITS EFFECTS ON THE WORKPLACE AND FACILITY  
19 PERSONNEL, AND TO ASCERTAINING APPROPRIATE STAFFING  
20 ALTERNATIVES FOR FACILITY PERSONNEL IMPACTED BY THE INCIDENT;

21 (c) FACILITY PERSONNEL MUST BE SUPPORTED IN OBTAINING ANY  
22 MENTAL HEALTH AND HEALTH-CARE SERVICES NEEDED TO RECOVER FROM  
23 AN INCIDENT OF WORKPLACE VIOLENCE, WHICH MAY INCLUDE PAID TIME  
24 OFF, PEER SUPPORT, CARE COORDINATION, AND TIME AND SPACE TO MAKE  
25 DECISIONS ABOUT AVAILABLE OPTIONS FOR THE INDIVIDUAL MEMBER OF  
26 FACILITY PERSONNEL; AND

27 (d) THE FACILITY MUST ADJUST PATIENT CARE ASSIGNMENTS TO  
28 THE EXTENT PRACTICABLE IN ORDER TO PREVENT A MEMBER OF FACILITY  
29 PERSONNEL FROM TREATING OR PROVIDING SERVICES TO A PATIENT WHO  
30 HAS INTENTIONALLY PHYSICALLY ABUSED OR THREATENED THE MEMBER  
31 OF FACILITY PERSONNEL.

36 (b) A PERSON SHALL NOT DISCIPLINE, INCLUDING BY SUSPENSION  
37 OR TERMINATION OF EMPLOYMENT, DISCRIMINATE AGAINST, OR RETALIATE  
38 AGAINST ANOTHER PERSON WHO:

39 (I) IN GOOD FAITH REPORTS AN INCIDENT OF WORKPLACE  
40 VIOLENCE;

41 (II) ADVISES A MEMBER OF FACILITY PERSONNEL OF THE MEMBER'S  
42 RIGHT TO REPORT AN INCIDENT OF WORKPLACE VIOLENCE; OR

43 (III) CHOOSES TO NOT REPORT AN INCIDENT OF WORKPLACE

1 VIOLENCE TO LAW ENFORCEMENT.

2 (10) **Reporting.** (a) BY JULY 1, 2025, AND BY EACH JULY 1  
3 THEREAFTER, EACH FACILITY SHALL SUBMIT AN ANNUAL REPORT OF  
4 WORKPLACE VIOLENCE INCIDENTS TO THE BHA IN A MANNER DETERMINED  
5 BY THE BHA. REPORTS MUST INCLUDE, AT A MINIMUM:

6 (I) THE FACILITY AND LOCATION WITHIN THE FACILITY WHERE AN  
7 INCIDENT OCCURRED;

8 (II) THE TYPE OF WORKPLACE VIOLENCE INCIDENT, SUCH AS  
9 WHETHER IT WAS STAFF ON STAFF, PATIENT ON STAFF, OR OTHER  
10 INDIVIDUAL AT THE FACILITY ON STAFF;

11 (III) THE NATURE OF THE WORKPLACE VIOLENCE INCIDENT, SUCH  
12 AS SEXUAL, PHYSICAL, OR A THREAT, AND WHETHER THE INCIDENT  
13 RESULTED IN BODILY INJURY OR OTHER PHYSICAL OR PSYCHOLOGICAL  
14 TRAUMA; AND

15 (IV) THE STAFF-TO-PATIENT RATIO AT THE TIME OF THE INCIDENT.

16 (b) STARTING JANUARY 1, 2026, AND BY EACH JANUARY 1  
17 THEREAFTER, AFTER REMOVING ANY PERSONALLY IDENTIFIABLE  
18 INFORMATION, THE BHA SHALL EITHER:

19 (I) PUBLISH A COMPREHENSIVE REPORT ON INCIDENTS OF  
20 WORKPLACE VIOLENCE BY FACILITY AND TYPE OF INJURY AND MAKE  
21 AVAILABLE TO THE PUBLIC, UPON REQUEST, DISAGGREGATED  
22 INFORMATION SUBMITTED BY FACILITIES PURSUANT TO SUBSECTION  
23 (10)(a) OF THIS SECTION; EXCEPT THAT THE BHA SHALL NOT RELEASE  
24 INFORMATION IDENTIFYING A SPECIFIC FACILITY BY NAME OR ANY  
25 IDENTIFIABLE INFORMATION ABOUT INDIVIDUALS INVOLVED IN AN  
26 INCIDENT OF WORKPLACE VIOLENCE; OR

27 (II) SEND THE FACILITY REPORTS TO THE DEPARTMENT OF PUBLIC  
28 HEALTH AND ENVIRONMENT FOR INCLUSION IN THE COMPREHENSIVE  
29 REPORT PUBLISHED IN ACCORDANCE WITH SECTION 25-3-905 (2).

30 (11) **Alternative compliance method.** A FACILITY THAT  
31 COMPLIES WITH THE REQUIREMENTS OF AN ALTERNATIVE CREDENTIALING  
32 OR LICENSING AGENCY THAT ARE SUBSTANTIALLY SIMILAR TO THE  
33 REQUIREMENTS OF SUBSECTIONS (3) TO (7) OF THIS SECTION SHALL BE  
34 DEEMED TO BE IN COMPLIANCE WITH SUBSECTIONS (3) TO (7) OF THIS  
35 SECTION.

36 **SECTION 5. Act subject to petition - effective date.** This act  
37 takes effect September 1, 2024; except that, if a referendum petition is  
38 filed pursuant to section 1 (3) of article V of the state constitution against  
39 this act or an item, section, or part of this act within the ninety-day period  
40 after final adjournment of the general assembly, then the act, item,  
41 section, or part will not take effect unless approved by the people at the  
42 general election to be held in November 2024 and, in such case, will take

1 effect on the date of the official declaration of the vote thereon by the  
2 governor.".

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