

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0671.02 Christy Chase x2008

HOUSE BILL 24-1066

---

HOUSE SPONSORSHIP

Hamrick and Garcia,

SENATE SPONSORSHIP

Michaelson Jenet and Gonzales,

---

House Committees  
Health & Human Services

Senate Committees

---

A BILL FOR AN ACT

101 CONCERNING METHODS TO PREVENT WORKPLACE VIOLENCE IN  
102 CERTAIN HEALTH-CARE SETTINGS.

---

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill enacts the "Violence Prevention in Health-care Settings Act", applicable to hospitals, freestanding emergency departments, nursing care facilities, assisted living residences, and federally qualified health centers, and the "Violence Prevention in Behavioral Health Settings Act", applicable to comprehensive community behavioral health providers. Both acts require each of these facility types to:

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

- Establish a workplace violence prevention committee to document and review workplace violence incidents at the facility and develop and regularly review a workplace violence prevention plan (plan) for the facility;
- Adopt, implement, enforce, and update the plan;
- Provide training on the plan and on workplace violence prevention;
- Submit biannual workplace violence incident reports to the department of public health and environment or the behavioral health administration, as applicable; and
- If a workplace violence incident occurs, offer post-incident services to affected staff.

The bill specifies the required components of facility plans. Facilities are prohibited from discouraging staff from contacting or filing an incident report with law enforcement. The bill also prohibits retaliation, discipline, or discrimination against a person who reports a workplace violence incident in good faith, who advises a staff member of the right to report an incident, or who chooses not to report an incident.

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

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

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

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

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

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

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

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

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

1 (d) There is no single solution to solving workplace violence in  
2 health-care settings, and evidence shows that a holistic approach to  
3 workplace violence is most effective and has proven to decrease violence  
4 in health-care settings;

5 (e) Recommendations from organizations such as the World  
6 Health Organization (WHO) and the International Council of Nurses,  
7 which align with the evidence that several approaches to combating  
8 workplace violence are needed, include:

9 (I) Making significant investment in frontline staff in the  
10 assessment, planning, and implementation of a workplace violence  
11 program;

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

13 (III) Assessing and implementing security protections within  
14 health-care units; and

15 (IV) Developing and implementing standardized workplace  
16 violence prevention policies and reporting systems;

17 (f) Involving frontline staff in assessing and planning workplace  
18 violence interventions is paramount to the effectiveness of the  
19 intervention;

20 (g) The WHO stresses that workplace violence prevention training  
21 and interventions must go beyond the individual, and the organization's  
22 recommendations align with evidence showing that health-care  
23 organizations need to change their administrative policies and implement  
24 changes within the health-care unit environment to combat workplace  
25 violence; and

26 (h) Implementing a holistic approach to workplace violence  
27 prevention and intervention that focuses on involving frontline workers

1 is paramount to reducing incidents of workplace violence in health-care  
2 settings.

3 **SECTION 2.** In Colorado Revised Statutes, **add** part 9 to article  
4 3 of title 25 as follows:

5 **PART 9**

6 **VIOLENCE PREVENTION IN HEALTH-CARE SETTINGS**

7 **25-3-901. Short title.** THE SHORT TITLE OF THIS PART 9 IS THE  
8 "VIOLENCE PREVENTION IN HEALTH-CARE SETTINGS ACT".

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

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

16 (2) "COMMITTEE" MEANS THE WORKPLACE VIOLENCE PREVENTION  
17 COMMITTEE OR OTHER COMMITTEE DESIGNATED AND AUTHORIZED BY A  
18 FACILITY PURSUANT TO SECTION 25-3-903 TO DEVELOP THE FACILITY'S  
19 WORKPLACE VIOLENCE PREVENTION PLAN PURSUANT TO SECTION  
20 25-3-904.

21 (3) "DANGEROUS WEAPON" MEANS:

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

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

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

1 (d) A SPRING-LOADED KNIFE OR A POCKET KNIFE WITH A BLADE  
2 EXCEEDING THREE AND ONE-HALF INCHES IN LENGTH; OR

3 (e) ANY OBJECT, DEVICE, INSTRUMENT, MATERIAL, OR SUBSTANCE,  
4 WHETHER ANIMATE OR INANIMATE, THAT IS USED OR INTENDED TO BE  
5 USED TO INFLICT DEATH OR SERIOUS BODILY INJURY.

6 (4) "FACILITY" MEANS:

7 (a) A HOSPITAL LICENSED OR CERTIFIED BY THE DEPARTMENT;

8 (b) A FREESTANDING EMERGENCY DEPARTMENT AS DEFINED IN  
9 SECTION 25-1.5-114;

10 (c) A NURSING CARE FACILITY;

11 (d) AN ASSISTED LIVING RESIDENCE THAT HAS AT LEAST TWENTY  
12 BEDS; OR

13 (e) A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN THE  
14 FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(4), AS  
15 AMENDED.

16 (5) "FACILITY STAFF MEMBER" MEANS:

17 (a) AN EMPLOYEE OF A FACILITY;

18 (b) A HEALTH-CARE PROVIDER WHO IS CONTRACTED WITH OR  
19 OTHERWISE AUTHORIZED TO PROVIDE HEALTH-CARE SERVICES AT A  
20 FACILITY AND WHO WORKS AT THE FACILITY TWENTY OR MORE HOURS A  
21 WEEK; OR

22 (c) ANY OTHER INDIVIDUAL PERFORMING SERVICES AT A FACILITY  
23 PURSUANT TO A CONTRACT WITH THE FACILITY.

24 (6) "HARASSMENT" MEANS ENGAGING IN A COURSE OF VEXATIOUS  
25 COMMENT OR CONDUCT AGAINST AN INDIVIDUAL THAT IS KNOWN OR  
26 OUGHT REASONABLY TO BE KNOWN TO BE UNWELCOME.

27 (7) "INTIMIDATION" MEANS DIRECTLY OR INDIRECTLY INFLICTING

1 OR THREATENING TO INFLICT ANY INJURY, DAMAGE, HARM, OR LOSS UPON  
2 AN INDIVIDUAL.

3 (8) "WORKPLACE VIOLENCE" INCLUDES:

4 (a) AN ACT OR CREDIBLE THREAT OF PHYSICAL FORCE AGAINST A  
5 FACILITY STAFF MEMBER THAT RESULTS IN, OR IS LIKELY TO RESULT IN,  
6 PHYSICAL INJURY OR PSYCHOLOGICAL TRAUMA;

7 (b) AN INCIDENT INVOLVING THE USE OF A DANGEROUS WEAPON,  
8 REGARDLESS OF WHETHER A FACILITY STAFF MEMBER IS INJURED BY THE  
9 WEAPON; AND

10 (c) (I) BULLYING, VERBAL HARASSMENT, OR OTHER ACTS OF  
11 INTIMIDATION, INCLUDING ACTS THAT OCCUR BETWEEN ONE FACILITY  
12 STAFF MEMBER AND ANOTHER FACILITY STAFF MEMBER AT A FACILITY,  
13 PARTICULARLY WHEN THE ALLEGED PERPETRATOR IS A SUPERIOR TO THE  
14 FACILITY STAFF MEMBER WHO IS SUBJECT TO THE ACT OF INTIMIDATION OR  
15 HAS THE ABILITY TO IMPACT THE JOB ENVIRONMENT OF THE FACILITY  
16 STAFF MEMBER IN A SIGNIFICANT WAY.

17 (II) SUBSECTION (8)(c)(I) OF THIS SECTION DOES NOT INCLUDE AN  
18 ACT OF SELF-ADVOCACY THAT IS WITHIN AN INDIVIDUAL'S LEGAL RIGHT TO  
19 PURSUE, INCLUDING WHEN AN INDIVIDUAL THREATENS TO PURSUE LEGAL  
20 ACTION OR TO FILE A GRIEVANCE OR COMPLAINT WITH A REGULATORY OR  
21 ACCREDITATION BODY.

22 (9) "WORKPLACE VIOLENCE PREVENTION PLAN" OR "PLAN" MEANS  
23 A POLICY OR PLAN DEVELOPED IN ACCORDANCE WITH SECTION 25-3-904  
24 TO PROTECT FACILITY STAFF MEMBERS FROM WORKPLACE VIOLENCE OR  
25 THREATS OF WORKPLACE VIOLENCE AT A FACILITY.

26 **25-3-903. Workplace violence prevention committee - duties.**

27 (1) (a) EACH FACILITY SHALL ESTABLISH A WORKPLACE VIOLENCE

1 PREVENTION COMMITTEE OR DESIGNATE AND AUTHORIZE AN EXISTING  
2 FACILITY COMMITTEE TO PERFORM THE FUNCTIONS OF A WORKPLACE  
3 VIOLENCE PREVENTION COMMITTEE AS SPECIFIED IN THIS SECTION. EACH  
4 FACILITY'S COMMITTEE SHALL DEVELOP A WORKPLACE VIOLENCE  
5 PREVENTION PLAN IN ACCORDANCE WITH SECTION 25-3-904.

6 (b) WHETHER A FACILITY ESTABLISHES A NEW WORKPLACE  
7 VIOLENCE PREVENTION COMMITTEE OR TASKS AN EXISTING FACILITY  
8 COMMITTEE WITH PERFORMING THE FUNCTIONS REQUIRED BY THIS  
9 SECTION AND SECTION 25-3-904, A MAJORITY OF THE COMMITTEE  
10 MEMBERS MUST BE FACILITY STAFF MEMBERS WHO ARE CLINICAL STAFF  
11 WHO REGULARLY PROVIDE DIRECT CARE TO PATIENTS AT THE FACILITY.

12 (2) (a) IN ADDITION TO DEVELOPING A WORKPLACE VIOLENCE  
13 PREVENTION PLAN IN ACCORDANCE WITH SECTION 25-3-904, EACH  
14 FACILITY'S COMMITTEE SHALL:

15 (I) DOCUMENT AND COMPLETE A QUARTERLY REVIEW OF  
16 INCIDENTS OF WORKPLACE VIOLENCE THAT OCCURRED AT THE FACILITY IN  
17 THE IMMEDIATELY PRECEDING QUARTER; AND

18 (II) DOCUMENT ANY UPDATES TO THE WORKPLACE VIOLENCE  
19 PREVENTION PLAN OR TO ANY OTHER POLICIES, PROCEDURES, STAFF  
20 TRAINING, STAFFING PLANS, SAFETY MEASURES, OR BEST POST-INCIDENT  
21 RESPONSES THAT RESULT FROM THE REVIEW CONDUCTED PURSUANT TO  
22 SUBSECTION (2)(a)(I) OF THIS SECTION.

23 (b) IN REVIEWING THE INCIDENTS OF WORKPLACE VIOLENCE  
24 PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION AND DEVELOPING  
25 AND UPDATING THE WORKPLACE VIOLENCE PREVENTION PLAN IN  
26 ACCORDANCE WITH SECTION 25-3-904, EACH COMMITTEE SHALL  
27 SCRUTINIZE INCIDENTS OF WORKPLACE VIOLENCE AND THE WORKPLACE

1 VIOLENCE PREVENTION PLAN FOR POLICIES, PRACTICES, OR TRENDS THAT  
2 LEAD TO INEQUITABLE TREATMENT OF FACILITY STAFF MEMBERS OR  
3 PATIENTS BASED ON RACE, COLOR, CREED, DISABILITY, SEX, GENDER  
4 IDENTITY OR EXPRESSION, SEXUAL ORIENTATION, RELIGION, NATIONAL  
5 ORIGIN, ANCESTRY, HOUSING STATUS, CRIMINAL JUSTICE INVOLVEMENT,  
6 OR SOCIOECONOMIC STATUS. AFTER EACH REVIEW OF INCIDENTS OF  
7 WORKPLACE VIOLENCE AND THE WORKPLACE VIOLENCE PREVENTION  
8 PLAN, THE COMMITTEE SHALL DOCUMENT HOW IT SCRUTINIZED THE DATA  
9 AND PLAN AND WHAT, IF ANY, CHANGES WERE MADE TO REDUCE THE  
10 LIKELIHOOD OF DISCRIMINATORY PRACTICES. UPON REQUEST, THE  
11 COMMITTEE SHALL MAKE THE DOCUMENTS AVAILABLE TO ANY  
12 INTERESTED PERSON.

13 (3) FACILITY STAFF MEMBERS, VOLUNTEERS, AND PATIENTS OF A  
14 FACILITY MAY PROVIDE INFORMATION ON WORKPLACE VIOLENCE TO THE  
15 COMMITTEE AND MAY SUBMIT ANONYMOUS COMPLAINTS OR CONCERNS.

16 **25-3-904. Workplace violence prevention plan - contents -**  
17 **training - annual review.** (1) (a) EACH COMMITTEE SHALL DEVELOP AND  
18 EACH FACILITY SHALL ADOPT, IMPLEMENT, AND ENFORCE A WRITTEN  
19 WORKPLACE VIOLENCE PREVENTION PLAN IN ACCORDANCE WITH THIS  
20 SECTION TO PROTECT FACILITY STAFF MEMBERS FROM WORKPLACE  
21 VIOLENCE AND THREATS OF WORKPLACE VIOLENCE AT THE FACILITY.

22 (b) EACH FACILITY'S COMMITTEE, AT LEAST ANNUALLY, SHALL:

23 (I) REVIEW AND EVALUATE THE FACILITY'S WORKPLACE VIOLENCE  
24 PREVENTION PLAN; AND

25 (II) REPORT THE RESULTS OF THE EVALUATION TO THE GOVERNING  
26 BODY OF THE FACILITY.

27 (c) BASED ON THE REVIEW AND REPORT FROM ITS COMMITTEE



1 PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION AND IN  
2 COLLABORATION WITH THE COMMITTEE, EACH FACILITY SHALL ANNUALLY  
3 REVIEW AND UPDATE, AS NECESSARY, ITS WORKPLACE VIOLENCE  
4 PREVENTION PLAN.

5 (d) EACH FACILITY SHALL MAKE AN ELECTRONIC COPY AND, UPON  
6 REQUEST, A PRINTED COPY OF THE FACILITY'S WORKPLACE VIOLENCE  
7 PREVENTION PLAN AVAILABLE TO EACH FACILITY STAFF MEMBER AND TO  
8 THE FACILITY'S GOVERNING BODY. IF A FACILITY'S COMMITTEE  
9 DETERMINES THE PLAN CONTAINS INFORMATION THAT WOULD POSE A  
10 SECURITY THREAT IF MADE PUBLIC, THE COMMITTEE MAY REDACT THAT  
11 INFORMATION BEFORE PROVIDING THE PLAN.

12 (2) A FACILITY'S WORKPLACE VIOLENCE PREVENTION PLAN MUST:

13 (a) INCLUDE POLICIES THAT PROVIDE PROTECTION FROM  
14 RETALIATION FOR FACILITY STAFF MEMBERS, PATIENTS, OR VISITORS WHO  
15 PROVIDE INFORMATION ON WORKPLACE VIOLENCE TO A FACILITY'S  
16 COMMITTEE;

17 (b) BE BASED ON THE PRACTICE SETTING AND ADDRESS FACTORS  
18 RELATED TO THE PRACTICE SETTING, INCLUDING:

19 (I) PHYSICAL ATTRIBUTES OF THE PRACTICE SETTING, SUCH AS  
20 SECURITY SYSTEMS, ALARMS, AND EMERGENCY ALERT SYSTEMS;

21 (II) STAFFING, INCLUDING STAFFING PATTERNS AND PATIENT  
22 CLASSIFICATIONS, AND PROCEDURES TO MINIMIZE THE TIME THAT  
23 INDIVIDUAL STAFF MEMBERS SPEND WORKING ALONE IN AREAS OF HIGH  
24 RISK FOR WORKPLACE VIOLENCE;

25 (III) FIRST AID, EMERGENCY RESPONSE PROTOCOLS, AND SECURITY  
26 PERSONNEL AVAILABILITY; AND

27 (IV) SECURITY RISKS ASSOCIATED WITH SPECIFIC UNITS AND

1 SHIFTS, AREAS OF SECURITY-CONTROLLED ACCESS, AND SECURITY IN  
2 AREAS SURROUNDING THE FACILITY, SUCH AS EMPLOYEE PARKING AREAS;

3 (c) DEFINE WORKPLACE VIOLENCE CONSISTENT WITH SECTION  
4 25-3-902 (8);

5 (d) REQUIRE THE FACILITY TO PROVIDE WORKPLACE VIOLENCE  
6 PREVENTION TRAINING AND EDUCATION:

7 (I) ANNUALLY TO:

8 (A) ALL FACILITY STAFF MEMBERS, INCLUDING MANAGERS,  
9 ADMINISTRATORS, AND CONTRACT OR TEMPORARY STAFF; AND

10 (B) THE FACILITY'S GOVERNING BOARD, IN A TRAINING SEPARATE  
11 FROM THE TRAINING PROVIDED TO FACILITY STAFF MEMBERS;

12 (II) THAT IS INFORMED BY THE APPLICABLE COMMITTEE'S ONGOING  
13 ANALYSIS OF WORKPLACE VIOLENCE DATA TRENDS FOR THE FACILITY;

14 (III) THAT IS BASED ON AND APPROPRIATE TO THE PRACTICE  
15 SETTING; AND

16 (IV) THAT INCLUDES VIOLENCE PREDICTING BEHAVIORS AND  
17 FACTORS; DE-ESCALATION TECHNIQUES TO MINIMIZE VIOLENT BEHAVIOR;  
18 AND INFORMATION ON HOW TO INTERACT WITH PATIENTS WITH SPECIFIC  
19 HEALTH CONDITIONS, TRAUMA-INFORMED CARE, AND STRATEGIES TO  
20 PREVENT HARM;

21 (e) PRESCRIBE A SYSTEM FOR RESPONDING TO AND INVESTIGATING  
22 ACTUAL OR POTENTIAL INCIDENTS OF WORKPLACE VIOLENCE AT THE  
23 FACILITY AND REQUIRE THAT THE FACILITY SHARE THE SYSTEM AT LEAST  
24 ANNUALLY WITH ALL FACILITY STAFF MEMBERS;

25 (f) STREAMLINE AND STANDARDIZE REPORTING PROCESSES, ALLOW  
26 AT LEAST SEVEN DAYS TO COMPLETE AN INCIDENT REPORT FILING, AND  
27 CONSISTENTLY PROVIDE ADMINISTRATIVE SUPPORT TO FACILITY STAFF

1 MEMBERS TO ENSURE THEIR ABILITY TO RESPOND TO INTERNAL AND  
2 EXTERNAL REQUIREMENTS FOR REPORTING OF WORKPLACE VIOLENCE;

3 (g) REQUIRE FACILITY STAFF MEMBERS TO REPORT INCIDENTS OF  
4 WORKPLACE VIOLENCE THROUGH THE FACILITY'S EXISTING OCCURRENCE  
5 REPORTING SYSTEMS WITHOUT DISCLOSING A PATIENT'S, FACILITY STAFF  
6 MEMBER'S, OR VOLUNTEER'S PERSONALLY IDENTIFIABLE INFORMATION;  
7 AND

8 (h) REQUIRE THE FACILITY TO ADJUST PATIENT CARE ASSIGNMENTS  
9 TO THE EXTENT PRACTICABLE IN ORDER TO PREVENT A FACILITY STAFF  
10 MEMBER FROM TREATING OR PROVIDING SERVICES TO A PATIENT WHO HAS  
11 INTENTIONALLY PHYSICALLY ABUSED OR THREATENED THE FACILITY  
12 STAFF MEMBER.

13 (3) (a) EACH FACILITY SHALL PROVIDE TRAINING ON THE  
14 WORKPLACE VIOLENCE PREVENTION PLAN FOR ALL FACILITY STAFF  
15 MEMBERS ANNUALLY.

16 (b) IF A FACILITY UPDATES ITS WORKPLACE VIOLENCE PREVENTION  
17 PLAN, THE FACILITY SHALL PROVIDE TRAINING ON THE UPDATED PLAN TO  
18 ALL FACILITY STAFF MEMBERS WITHIN NINETY DAYS AFTER THE DATE THE  
19 PLAN IS UPDATED.

20 (4) EACH FACILITY SHALL POST ON ITS WEBSITE OR OTHERWISE  
21 MAKE AVAILABLE IN WRITTEN FORM DETAILS OF THE ESSENTIAL ELEMENTS  
22 OF THE FACILITY'S WORKPLACE VIOLENCE PREVENTION PLAN TO ASSURE  
23 THAT FACILITY STAFF MEMBERS, PATIENTS, AND THE PUBLIC ARE AWARE  
24 OF THE FACILITY'S PRIORITY TO PREVENT AND MITIGATE WORKPLACE  
25 VIOLENCE. A FACILITY MAY REDACT FROM THE PUBLICLY AVAILABLE  
26 WORKPLACE VIOLENCE PREVENTION PLAN ANY INFORMATION THAT WOULD  
27 POSE A SECURITY THREAT IF MADE PUBLIC.

1           **25-3-905. Responding to workplace violence incidents -**

2 **prohibited acts.** (1) FOLLOWING AN INCIDENT OF WORKPLACE VIOLENCE,  
3 A FACILITY SHALL, AT A MINIMUM, OFFER IMMEDIATE POST-INCIDENT  
4 SERVICES, INCLUDING:

5           (a) RELIEF OF DUTIES WITH PAY FOR THE AFFECTED FACILITY STAFF  
6 MEMBER UNTIL RESOLUTION OF TRAUMA-ASSOCIATED SYMPTOMS; AND

7           (b) NECESSARY ACUTE MEDICAL AND MENTAL HEALTH  
8 TREATMENT FOR EACH FACILITY STAFF MEMBER WHO IS DIRECTLY  
9 INVOLVED IN THE INCIDENT AND TIMELY FOLLOW-UP MENTAL HEALTH  
10 SERVICES AND SUPPORTS.

11           (2) A FACILITY SHALL NOT DISCOURAGE A FACILITY STAFF MEMBER  
12 FROM EXERCISING THE FACILITY STAFF MEMBER'S RIGHT TO CONTACT OR  
13 FILE A REPORT WITH LAW ENFORCEMENT OR ANY REGULATORY BODY  
14 REGARDING AN INCIDENT OF WORKPLACE VIOLENCE.

15           (3) A PERSON SHALL NOT DISCIPLINE, INCLUDING BY SUSPENSION  
16 OR TERMINATION OF EMPLOYMENT, DISCRIMINATE AGAINST, OR RETALIATE  
17 AGAINST ANOTHER PERSON WHO:

18           (a) IN GOOD FAITH REPORTS AN INCIDENT OF WORKPLACE  
19 VIOLENCE;

20           (b) ADVISES A FACILITY STAFF MEMBER OF THE FACILITY STAFF  
21 MEMBER'S RIGHT TO REPORT AN INCIDENT OF WORKPLACE VIOLENCE; OR

22           (c) CHOOSES TO NOT REPORT AN INCIDENT OF WORKPLACE  
23 VIOLENCE TO LAW ENFORCEMENT.

24           **25-3-906. Reporting.** (1) EACH FACILITY SHALL SUBMIT  
25 BIENNIAL REPORTS OF WORKPLACE VIOLENCE INCIDENTS TO THE  
26 DEPARTMENT IN A MANNER DETERMINED BY THE DEPARTMENT. REPORTS  
27 MUST INCLUDE, AT A MINIMUM:

1 (a) THE FACILITY AND LOCATION WITHIN THE FACILITY WHERE AN  
2 INCIDENT OCCURRED;

3 (b) THE TYPE OF WORKPLACE VIOLENCE, SUCH AS WHETHER IT WAS  
4 STAFF ON STAFF, PATIENT ON STAFF, OR OTHER INDIVIDUAL AT THE  
5 FACILITY ON STAFF; THE NATURE OF THE WORKPLACE VIOLENCE, SUCH AS  
6 SEXUAL, PHYSICAL, OR A THREAT; AND WHETHER THE INCIDENT RESULTED  
7 IN BODILY INJURY OR OTHER PHYSICAL OR PSYCHOLOGICAL TRAUMA;

8 (c) THE STAFF-TO-PATIENT RATIO AT THE TIME OF THE INCIDENT;

9 (d) THE FACILITY RESPONSE TO THE INCIDENT; AND

10 (e) IF THE INCIDENT INVOLVED A PATIENT, THE PRESENTING  
11 DIAGNOSIS OF THE PATIENT.

12 (2) THE DEPARTMENT SHALL POST FACILITY REPORTS RECEIVED  
13 PURSUANT TO SUBSECTION (1) OF THIS SECTION ON A PUBLIC-FACING  
14 WEBSITE AFTER REMOVING ANY PERSONALLY IDENTIFIABLE INFORMATION.  
15 IF THE BEHAVIORAL HEALTH ADMINISTRATION IN THE DEPARTMENT OF  
16 HUMAN SERVICES SENDS FACILITY REPORTS TO THE DEPARTMENT  
17 PURSUANT TO SECTION 27-50-305 (7)(b), THE DEPARTMENT SHALL POST  
18 THOSE REPORTS WITH THE REPORTS RECEIVED PURSUANT TO SUBSECTION  
19 (1) OF THIS SECTION.

20 **25-3-907. Alternative compliance method.** A FACILITY THAT  
21 COMPLIES WITH THE REQUIREMENTS OF AN ALTERNATIVE CREDENTIALING  
22 OR LICENSING AGENCY THAT ARE SUBSTANTIALLY SIMILAR TO THE  
23 REQUIREMENTS OF SECTIONS 25-3-903 AND 25-3-904 SHALL BE DEEMED  
24 TO BE IN COMPLIANCE WITH SECTIONS 25-3-903 AND 25-3-904.

25 **SECTION 3.** In Colorado Revised Statutes, 25-3-703, **amend** (3)  
26 introductory portion, (3)(e), and (3)(f); and **add** (3)(g) as follows:

27 **25-3-703. Hospital report card - rules - exemption.** (3) The

1 state board of health shall promulgate rules that establish  
2 nursing-sensitive quality measures, based upon a nationally recognized  
3 standard, ~~and~~ THAT MUST BE INCLUDED IN THE HOSPITAL REPORT CARD.  
4 THE STATE BOARD OF HEALTH SHALL revise the rules as necessary every  
5 three years. ~~to be included in the hospital report card.~~ The  
6 nursing-sensitive quality measures must include, at a minimum:

7 (e) Patient falls with injury; ~~and~~

8 (f) Recorded incidences of WORKPLACE violence, AS DEFINED IN  
9 SECTION 25-3-902 (8), against staff and contracted staff; AND

10 (g) A RECORD OF THE CHANGES MADE TO ADDRESS STAFFING  
11 STANDARDS THAT CONTRIBUTED TO RISKS AND INCIDENTS OF WORKPLACE  
12 VIOLENCE, AS DEFINED IN SECTION 25-3-902 (8).

13 **SECTION 4.** In Colorado Revised Statutes, ~~add~~ 27-50-305 as  
14 follows:

15 **27-50-305. Workplace violence prevention - committee - plan**  
16 **- incident reports - definitions - short title - legislative declaration.**

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

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

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

24 (b) "BULLYING" MEANS ANY WRITTEN OR ORAL EXPRESSION, OR  
25 PHYSICAL OR ELECTRONIC ACT OR GESTURE, OR A PATTERN OF THAT  
26 EXPRESSION, ACT, OR GESTURE, THAT IS INTENDED TO COERCE,  
27 INTIMIDATE, OR CAUSE ANY PHYSICAL, MENTAL, OR EMOTIONAL HARM TO

1 AN INDIVIDUAL.

2 (c) "COMMITTEE" MEANS THE WORKPLACE VIOLENCE PREVENTION  
3 COMMITTEE OR OTHER COMMITTEE DESIGNATED AND AUTHORIZED BY A  
4 FACILITY PURSUANT TO SUBSECTION (3) OF THIS SECTION TO DEVELOP THE  
5 FACILITY'S WORKPLACE VIOLENCE PREVENTION PLAN PURSUANT TO  
6 SUBSECTION (4) OF THIS SECTION.

7 (d) "DANGEROUS WEAPON" MEANS:

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

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

12 (III) A FIXED-BLADE KNIFE WITH A BLADE THAT EXCEEDS THREE  
13 INCHES IN LENGTH;

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

16 (V) ANY OBJECT, DEVICE, INSTRUMENT, MATERIAL, OR  
17 SUBSTANCE, WHETHER ANIMATE OR INANIMATE, THAT IS USED OR  
18 INTENDED TO BE USED TO INFLICT DEATH OR SERIOUS BODILY INJURY.

19 (e) "FACILITY" MEANS A COMPREHENSIVE COMMUNITY  
20 BEHAVIORAL HEALTH PROVIDER THAT IS A FACILITY.

21 (f) "FACILITY STAFF MEMBER" MEANS:

22 (I) AN EMPLOYEE OF A FACILITY;

23 (II) A LICENSED PROFESSIONAL BEHAVIORAL HEALTH PROVIDER  
24 WHO IS CONTRACTED WITH OR OTHERWISE AUTHORIZED TO PROVIDE  
25 BEHAVIORAL HEALTH SERVICES AT A FACILITY AND WHO WORKS AT THE  
26 FACILITY TWENTY OR MORE HOURS A WEEK; OR

27 (III) ANY OTHER INDIVIDUAL PERFORMING SERVICES AT A FACILITY

1 PURSUANT TO A CONTRACT WITH THE FACILITY.

2 (g) "HARASSMENT" MEANS ENGAGING IN A COURSE OF VEXATIOUS  
3 COMMENT OR CONDUCT AGAINST AN INDIVIDUAL THAT IS KNOWN OR  
4 OUGHT REASONABLY TO BE KNOWN TO BE UNWELCOME.

5 (h) "INTIMIDATION" MEANS DIRECTLY OR INDIRECTLY INFLICTING  
6 OR THREATENING TO INFLICT ANY INJURY, DAMAGE, HARM, OR LOSS UPON  
7 AN INDIVIDUAL.

8 (i) "LICENSED PROFESSIONAL BEHAVIORAL HEALTH PROVIDER"  
9 MEANS A BEHAVIORAL HEALTH PROVIDER WHO IS A LICENSED  
10 PROFESSIONAL PROVIDING BEHAVIORAL HEALTH SERVICES.

11 (j) "WORKPLACE VIOLENCE" INCLUDES:

12 (I) AN ACT OR CREDIBLE THREAT OF PHYSICAL FORCE AGAINST A  
13 FACILITY STAFF MEMBER THAT RESULTS IN, OR IS LIKELY TO RESULT IN,  
14 PHYSICAL INJURY OR PSYCHOLOGICAL TRAUMA;

15 (II) AN INCIDENT INVOLVING THE USE OF A DANGEROUS WEAPON,  
16 REGARDLESS OF WHETHER A FACILITY STAFF MEMBER IS INJURED BY THE  
17 WEAPON; AND

18 (III) (A) BULLYING, VERBAL HARASSMENT, OR OTHER ACTS OF  
19 INTIMIDATION, INCLUDING ACTS THAT OCCUR BETWEEN ONE FACILITY  
20 STAFF MEMBER AND ANOTHER FACILITY STAFF MEMBER AT A FACILITY,  
21 PARTICULARLY WHEN THE ALLEGED PERPETRATOR IS A SUPERIOR TO THE  
22 FACILITY STAFF MEMBER WHO IS SUBJECT TO THE ACT OF INTIMIDATION OR  
23 HAS THE ABILITY TO IMPACT THE JOB ENVIRONMENT OF THE FACILITY  
24 STAFF MEMBER IN A SIGNIFICANT WAY.

25 (B) SUBSECTION (2)(j)(III)(A) OF THIS SECTION DOES NOT INCLUDE  
26 AN ACT OF SELF-ADVOCACY THAT IS WITHIN AN INDIVIDUAL'S LEGAL RIGHT  
27 TO PURSUE, INCLUDING WHEN AN INDIVIDUAL THREATENS TO PURSUE



1 LEGAL ACTION OR TO FILE A GRIEVANCE OR COMPLAINT WITH A  
2 REGULATORY OR ACCREDITATION BODY.

3 (k) "WORKPLACE VIOLENCE PREVENTION PLAN" OR "PLAN" MEANS  
4 A POLICY OR PLAN DEVELOPED IN ACCORDANCE WITH SUBSECTION (4) OF  
5 THIS SECTION TO PROTECT FACILITY STAFF MEMBERS FROM WORKPLACE  
6 VIOLENCE OR THREATS OF WORKPLACE VIOLENCE AT A FACILITY.

7 (3) **Workplace violence prevention committee.** (a) (I) EACH  
8 FACILITY SHALL ESTABLISH A WORKPLACE VIOLENCE PREVENTION  
9 COMMITTEE OR DESIGNATE AND AUTHORIZE AN EXISTING FACILITY  
10 COMMITTEE TO PERFORM THE FUNCTIONS OF A WORKPLACE VIOLENCE  
11 PREVENTION COMMITTEE AS SPECIFIED IN THIS SUBSECTION (3). EACH  
12 FACILITY'S COMMITTEE SHALL DEVELOP A WORKPLACE VIOLENCE  
13 PREVENTION PLAN IN ACCORDANCE WITH SUBSECTION (4) OF THIS  
14 SECTION.

15 (II) WHETHER A FACILITY ESTABLISHES A NEW WORKPLACE  
16 VIOLENCE PREVENTION COMMITTEE OR TASKS AN EXISTING FACILITY  
17 COMMITTEE WITH PERFORMING THE FUNCTIONS REQUIRED BY THIS  
18 SUBSECTION (3) AND SUBSECTION (4) OF THIS SECTION, A MAJORITY OF THE  
19 COMMITTEE MEMBERS MUST BE FACILITY STAFF MEMBERS WHO ARE  
20 CLINICAL STAFF WHO REGULARLY PROVIDE DIRECT CARE TO CLIENTS AT  
21 THE FACILITY.

22 (b) (I) IN ADDITION TO DEVELOPING A WORKPLACE VIOLENCE  
23 PREVENTION PLAN IN ACCORDANCE WITH SUBSECTION (4) OF THIS  
24 SECTION, EACH FACILITY'S COMMITTEE SHALL:

25 (A) DOCUMENT AND COMPLETE A QUARTERLY REVIEW OF  
26 INCIDENTS OF WORKPLACE VIOLENCE THAT OCCURRED AT THE FACILITY IN  
27 THE IMMEDIATELY PRECEDING QUARTER; AND

1 (B) DOCUMENT ANY UPDATES TO THE WORKPLACE VIOLENCE  
2 PREVENTION PLAN OR TO ANY OTHER POLICIES, PROCEDURES, STAFF  
3 TRAINING, STAFFING PLANS, SAFETY MEASURES, OR BEST POST-INCIDENT  
4 RESPONSES THAT RESULT FROM THE REVIEW CONDUCTED PURSUANT TO  
5 SUBSECTION (3)(b)(I)(A) OF THIS SECTION.

6 (II) IN REVIEWING THE INCIDENTS OF WORKPLACE VIOLENCE  
7 PURSUANT TO SUBSECTION (3)(b)(I)(A) OF THIS SECTION AND DEVELOPING  
8 AND UPDATING THE WORKPLACE VIOLENCE PREVENTION PLAN IN  
9 ACCORDANCE WITH SUBSECTION (4) OF THIS SECTION, EACH COMMITTEE  
10 SHALL SCRUTINIZE INCIDENTS OF WORKPLACE VIOLENCE AND THE  
11 WORKPLACE VIOLENCE PREVENTION PLAN FOR POLICIES, PRACTICES, OR  
12 TRENDS THAT LEAD TO INEQUITABLE TREATMENT OF FACILITY STAFF  
13 MEMBERS OR PATIENTS BASED ON RACE, COLOR, CREED, DISABILITY, SEX,  
14 GENDER IDENTITY OR EXPRESSION, SEXUAL ORIENTATION, RELIGION,  
15 NATIONAL ORIGIN, ANCESTRY, HOUSING STATUS, CRIMINAL JUSTICE  
16 INVOLVEMENT, OR SOCIOECONOMIC STATUS. AFTER EACH REVIEW OF  
17 INCIDENTS OF WORKPLACE VIOLENCE AND THE WORKPLACE VIOLENCE  
18 PREVENTION PLAN, THE COMMITTEE SHALL DOCUMENT HOW IT  
19 SCRUTINIZED THE DATA AND PLAN AND WHAT, IF ANY, CHANGES WERE  
20 MADE TO REDUCE THE LIKELIHOOD OF DISCRIMINATORY PRACTICES. UPON  
21 REQUEST, THE COMMITTEE SHALL MAKE THE DOCUMENTS AVAILABLE TO  
22 ANY INTERESTED PERSON.

23 (c) FACILITY STAFF MEMBERS, VOLUNTEERS, AND PATIENTS OF A  
24 FACILITY MAY PROVIDE INFORMATION ON WORKPLACE VIOLENCE TO THE  
25 COMMITTEE AND MAY SUBMIT ANONYMOUS COMPLAINTS OR CONCERNS.

26 (4) **Workplace violence prevention plan.** (a) (I) EACH  
27 COMMITTEE SHALL DEVELOP AND EACH FACILITY SHALL ADOPT,

1 IMPLEMENT, AND ENFORCE A WRITTEN WORKPLACE VIOLENCE PREVENTION  
2 PLAN IN ACCORDANCE WITH THIS SECTION TO PROTECT FACILITY STAFF  
3 MEMBERS FROM WORKPLACE VIOLENCE AND THREATS OF WORKPLACE  
4 VIOLENCE AT THE FACILITY.

5 (II) EACH FACILITY'S COMMITTEE, AT LEAST ANNUALLY, SHALL:

6 (A) REVIEW AND EVALUATE THE FACILITY'S WORKPLACE  
7 VIOLENCE PREVENTION PLAN; AND

8 (B) REPORT THE RESULTS OF THE EVALUATION TO THE GOVERNING  
9 BODY OF THE FACILITY.

10 (III) BASED ON THE REVIEW AND REPORT FROM ITS COMMITTEE  
11 PURSUANT TO SUBSECTION (4)(a)(II) OF THIS SECTION AND IN  
12 COLLABORATION WITH THE COMMITTEE, EACH FACILITY SHALL ANNUALLY  
13 REVIEW AND UPDATE, AS NECESSARY, ITS WORKPLACE VIOLENCE  
14 PREVENTION PLAN.

15 (IV) EACH FACILITY SHALL MAKE AN ELECTRONIC COPY AND,  
16 UPON REQUEST, A PRINTED COPY OF THE FACILITY'S WORKPLACE VIOLENCE  
17 PREVENTION PLAN AVAILABLE TO EACH FACILITY STAFF MEMBER AND TO  
18 THE FACILITY'S GOVERNING BODY. IF A FACILITY'S COMMITTEE  
19 DETERMINES THE PLAN CONTAINS INFORMATION THAT WOULD POSE A  
20 SECURITY THREAT IF MADE PUBLIC, THE COMMITTEE MAY REDACT THAT  
21 INFORMATION BEFORE PROVIDING THE PLAN.

22 (b) A FACILITY'S WORKPLACE VIOLENCE PREVENTION PLAN MUST:

23 (I) INCLUDE POLICIES THAT PROVIDE PROTECTION FROM  
24 RETALIATION FOR FACILITY STAFF MEMBERS, PATIENTS, OR VISITORS WHO  
25 PROVIDE INFORMATION ON WORKPLACE VIOLENCE TO A FACILITY'S  
26 COMMITTEE;

27 (II) BE BASED ON THE PRACTICE SETTING AND ADDRESS FACTORS

1 RELATED TO THE PRACTICE SETTING, INCLUDING:

2 (A) PHYSICAL ATTRIBUTES OF THE PRACTICE SETTING, SUCH AS  
3 SECURITY SYSTEMS, ALARMS, AND EMERGENCY ALERT SYSTEMS;

4 (B) STAFFING, INCLUDING STAFFING PATTERNS AND PATIENT  
5 CLASSIFICATIONS, AND PROCEDURES TO MINIMIZE THE TIME THAT  
6 INDIVIDUAL STAFF MEMBERS SPEND WORKING ALONE IN AREAS OF HIGH  
7 RISK FOR WORKPLACE VIOLENCE;

8 (C) FIRST AID, EMERGENCY RESPONSE PROTOCOLS, AND SECURITY  
9 PERSONNEL AVAILABILITY; AND

10 (D) SECURITY RISKS ASSOCIATED WITH SPECIFIC UNITS AND SHIFTS,  
11 AREAS OF SECURITY-CONTROLLED ACCESS, AND SECURITY IN AREAS  
12 SURROUNDING THE FACILITY, SUCH AS EMPLOYEE PARKING AREAS;

13 (III) DEFINE WORKPLACE VIOLENCE CONSISTENT WITH SUBSECTION  
14 (2)(j) OF THIS SECTION;

15 (IV) REQUIRE THE FACILITY TO PROVIDE WORKPLACE VIOLENCE  
16 PREVENTION TRAINING AND EDUCATION:

17 (A) ANNUALLY TO ALL FACILITY STAFF MEMBERS, INCLUDING  
18 MANAGERS, ADMINISTRATORS, AND CONTRACT OR TEMPORARY STAFF,  
19 AND, IN A TRAINING SEPARATE FROM THE TRAINING PROVIDED TO FACILITY  
20 STAFF MEMBERS, TO THE FACILITY'S GOVERNING BOARD;

21 (B) THAT IS INFORMED BY THE APPLICABLE COMMITTEE'S ONGOING  
22 ANALYSIS OF WORKPLACE VIOLENCE DATA TRENDS FOR THE FACILITY;

23 (C) THAT IS BASED ON AND APPROPRIATE TO THE PRACTICE  
24 SETTING; AND

25 (D) THAT INCLUDES VIOLENCE PREDICTING BEHAVIORS AND  
26 FACTORS; DE-ESCALATION TECHNIQUES TO MINIMIZE VIOLENT BEHAVIOR;  
27 AND INFORMATION ON HOW TO INTERACT WITH PATIENTS WITH SPECIFIC

1 HEALTH CONDITIONS, TRAUMA-INFORMED CARE, AND STRATEGIES TO  
2 PREVENT HARM;

3 (V) PRESCRIBE A SYSTEM FOR RESPONDING TO AND INVESTIGATING  
4 ACTUAL OR POTENTIAL INCIDENTS OF WORKPLACE VIOLENCE AT THE  
5 FACILITY AND REQUIRE THAT THE FACILITY SHARE THE SYSTEM AT LEAST  
6 ANNUALLY WITH ALL FACILITY STAFF MEMBERS;

7 (VI) STREAMLINE AND STANDARDIZE REPORTING PROCESSES,  
8 ALLOW AT LEAST SEVEN DAYS TO COMPLETE AN INCIDENT REPORT FILING,  
9 AND CONSISTENTLY PROVIDE ADMINISTRATIVE SUPPORT TO FACILITY  
10 STAFF MEMBERS TO ENSURE THEIR ABILITY TO RESPOND TO INTERNAL AND  
11 EXTERNAL REQUIREMENTS FOR REPORTING OF WORKPLACE VIOLENCE;

12 (VII) REQUIRE FACILITY STAFF MEMBERS TO REPORT INCIDENTS OF  
13 WORKPLACE VIOLENCE THROUGH THE FACILITY'S EXISTING OCCURRENCE  
14 REPORTING SYSTEMS WITHOUT DISCLOSING A PATIENT'S, FACILITY STAFF  
15 MEMBER'S, OR VOLUNTEER'S PERSONALLY IDENTIFIABLE INFORMATION;  
16 AND

17 (VIII) REQUIRE THE FACILITY TO ADJUST PATIENT CARE  
18 ASSIGNMENTS TO THE EXTENT PRACTICABLE IN ORDER TO PREVENT A  
19 FACILITY STAFF MEMBER FROM TREATING OR PROVIDING SERVICES TO A  
20 PATIENT WHO HAS INTENTIONALLY PHYSICALLY ABUSED OR THREATENED  
21 THE FACILITY STAFF MEMBER.

22 (c) (I) EACH FACILITY SHALL PROVIDE TRAINING ON THE  
23 WORKPLACE VIOLENCE PREVENTION PLAN FOR ALL FACILITY STAFF  
24 MEMBERS ANNUALLY.

25 (II) IF A FACILITY UPDATES ITS WORKPLACE VIOLENCE PREVENTION  
26 PLAN, THE FACILITY SHALL PROVIDE TRAINING ON THE UPDATED PLAN TO  
27 ALL FACILITY STAFF MEMBERS WITHIN NINETY DAYS AFTER THE DATE THE

1 PLAN IS UPDATED.

2 (d) EACH FACILITY SHALL POST ON ITS WEBSITE OR OTHERWISE  
3 MAKE AVAILABLE IN PRINTED FORM DETAILS OF THE ESSENTIAL ELEMENTS  
4 OF THE FACILITY'S WORKPLACE VIOLENCE PREVENTION PLAN TO ASSURE  
5 THAT FACILITY STAFF MEMBERS, PATIENTS, AND THE PUBLIC ARE AWARE  
6 OF THE FACILITY'S PRIORITY TO PREVENT AND MITIGATE WORKPLACE  
7 VIOLENCE. A FACILITY MAY REDACT FROM THE PUBLICLY AVAILABLE  
8 WORKPLACE VIOLENCE PREVENTION PLAN ANY INFORMATION THAT WOULD  
9 POSE A SECURITY THREAT IF MADE PUBLIC.

10 (5) **Workplace violence incidents.** FOLLOWING AN INCIDENT OF  
11 WORKPLACE VIOLENCE, A FACILITY SHALL, AT A MINIMUM, OFFER  
12 IMMEDIATE POST-INCIDENT SERVICES, INCLUDING:

13 (a) RELIEF OF DUTIES WITH PAY FOR THE AFFECTED FACILITY STAFF  
14 MEMBER UNTIL RESOLUTION OF TRAUMA-ASSOCIATED SYMPTOMS; AND

15 (b) NECESSARY ACUTE MEDICAL AND MENTAL HEALTH  
16 TREATMENT FOR EACH FACILITY STAFF MEMBER WHO IS DIRECTLY  
17 INVOLVED IN THE INCIDENT AND TIMELY FOLLOW-UP MENTAL HEALTH  
18 SERVICES AND SUPPORTS.

19 (6) **Prohibited acts.** (a) A FACILITY SHALL NOT DISCOURAGE A  
20 FACILITY STAFF MEMBER FROM EXERCISING THE FACILITY STAFF MEMBER'S  
21 RIGHT TO CONTACT OR FILE A REPORT WITH LAW ENFORCEMENT OR ANY  
22 REGULATORY BODY REGARDING AN INCIDENT OF WORKPLACE VIOLENCE.

23 (b) A PERSON SHALL NOT DISCIPLINE, INCLUDING BY SUSPENSION  
24 OR TERMINATION OF EMPLOYMENT, DISCRIMINATE AGAINST, OR RETALIATE  
25 AGAINST ANOTHER PERSON WHO:

26 (I) IN GOOD FAITH REPORTS AN INCIDENT OF WORKPLACE  
27 VIOLENCE;

1 (II) ADVISES A FACILITY STAFF MEMBER OF THE FACILITY STAFF  
2 MEMBER'S RIGHT TO REPORT AN INCIDENT OF WORKPLACE VIOLENCE; OR

3 (III) CHOOSES TO NOT REPORT AN INCIDENT OF WORKPLACE  
4 VIOLENCE TO LAW ENFORCEMENT.

5 (7) **Reporting.** (a) EACH FACILITY SHALL SUBMIT BIENNIAL  
6 REPORTS OF WORKPLACE VIOLENCE INCIDENTS TO THE BHA IN A MANNER  
7 DETERMINED BY THE BHA. REPORTS MUST INCLUDE, AT A MINIMUM:

8 (I) THE FACILITY AND LOCATION WITHIN THE FACILITY WHERE AN  
9 INCIDENT OCCURRED;

10 (II) THE TYPE OF WORKPLACE VIOLENCE, SUCH AS WHETHER IT  
11 WAS STAFF ON STAFF, PATIENT ON STAFF, OR OTHER INDIVIDUAL AT THE  
12 FACILITY ON STAFF; THE NATURE OF THE WORKPLACE VIOLENCE, SUCH AS  
13 SEXUAL, PHYSICAL, OR A THREAT; AND WHETHER THE INCIDENT RESULTED  
14 IN BODILY INJURY OR OTHER PHYSICAL OR PSYCHOLOGICAL TRAUMA;

15 (III) THE STAFF-TO-PATIENT RATIO AT THE TIME OF THE INCIDENT;

16 (IV) THE FACILITY RESPONSE TO THE INCIDENT; AND

17 (V) IF THE INCIDENT INVOLVED A PATIENT, THE PRESENTING  
18 DIAGNOSIS OF THE PATIENT.

19 (b) AFTER REMOVING ANY PERSONALLY IDENTIFIABLE  
20 INFORMATION, THE BHA SHALL EITHER:

21 (I) POST FACILITY REPORTS REQUIRED BY THIS SUBSECTION (7) ON  
22 A PUBLIC-FACING WEBSITE; OR

23 (II) SEND THE FACILITY REPORTS TO THE DEPARTMENT OF PUBLIC  
24 HEALTH AND ENVIRONMENT FOR POSTING IN ACCORDANCE WITH SECTION  
25 25-3-906 (2).

26 **SECTION 5. Act subject to petition - effective date.** This act  
27 takes effect September 1, 2024; except that, if a referendum petition is

1 filed pursuant to section 1 (3) of article V of the state constitution against  
2 this act or an item, section, or part of this act within the ninety-day period  
3 after final adjournment of the general assembly, then the act, item,  
4 section, or part will not take effect unless approved by the people at the  
5 general election to be held in November 2024 and, in such case, will take  
6 effect on the date of the official declaration of the vote thereon by the  
7 governor.