

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0671.02 Christy Chase x2008

**HOUSE BILL 24-1066**

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**HOUSE SPONSORSHIP**

**Hamrick and Garcia,**

**SENATE SPONSORSHIP**

**Michaelson Jenet and Gonzales,**

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**House Committees**

Health & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

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

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**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.

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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 Joint  
6 Commission, which align with the evidence that several approaches to  
7 combating workplace violence are needed, include:

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

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

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

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

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

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

25 (h) Implementing a holistic approach to workplace violence  
26 prevention, mitigation, response, and intervention that focuses on  
27 involving frontline workers is paramount to reducing incidents of

1 workplace violence in health-care settings.

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

4 **PART 9**

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

6 **25-3-901. Short title.** THE SHORT TITLE OF THIS PART 9 IS THE  
7 "VIOLENCE PREVENTION IN HEALTH-CARE SETTINGS ACT".

8 **25-3-902. Definitions.** AS USED IN THIS PART 9, UNLESS THE  
9 CONTEXT OTHERWISE REQUIRES:

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

15 (2) "DANGEROUS WEAPON" MEANS:

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

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

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

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

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

27 (3) "FACILITY" MEANS:

- 1 (a) A HOSPITAL LICENSED OR CERTIFIED BY THE DEPARTMENT;
- 2 (b) A FREESTANDING EMERGENCY DEPARTMENT AS DEFINED IN  
3 SECTION 25-1.5-114;
- 4 (c) A NURSING CARE FACILITY;
- 5 (d) AN ASSISTED LIVING RESIDENCE THAT HAS AT LEAST TWENTY  
6 BEDS; OR
- 7 (e) A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN THE  
8 FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(4), AS  
9 AMENDED.
- 10 (4) "FACILITY PERSONNEL" MEANS:
  - 11 (a) AN EMPLOYEE OF A FACILITY;
  - 12 (b) A HEALTH-CARE PROVIDER WHO IS CONTRACTED WITH OR  
13 OTHERWISE AUTHORIZED TO PROVIDE HEALTH-CARE SERVICES AT A  
14 FACILITY; OR
  - 15 (c) ANY OTHER INDIVIDUAL PERFORMING SERVICES AT A FACILITY.
- 16 (5) "HARASS" MEANS TO ENGAGE IN A COURSE OF VEXATIOUS  
17 COMMENT OR CONDUCT AGAINST AN INDIVIDUAL THAT IS KNOWN OR  
18 OUGHT REASONABLY TO BE KNOWN TO BE UNWELCOME.
- 19 (6) "INTIMIDATE" MEANS TO DIRECTLY OR INDIRECTLY INFLICT OR  
20 THREATEN TO INFLICT ANY INJURY, DAMAGE, HARM, OR LOSS UPON AN  
21 INDIVIDUAL.
- 22 (7) "MULTIDISCIPLINARY TEAM" OR "TEAM" MEANS A TEAM OF  
23 FACILITY PERSONNEL, A MAJORITY OF THE MEMBERS OF WHICH PRIMARILY  
24 PROVIDE DIRECT CARE OR SERVICES TO PATIENTS OR VISITORS OF THE  
25 FACILITY.
- 26 (8) (a) "WORKPLACE VIOLENCE" MEANS:
  - 27 (I) VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL AGGRESSION;

1 (II) THREATENING, INTIMIDATING, HARASSING, OR HUMILIATING  
2 WORDS OR ACTIONS;

3 (III) BULLYING;

4 (IV) SABOTAGE;

5 (V) SEXUAL HARASSMENT;

6 (VI) PHYSICAL ASSAULT; OR

7 (VII) OTHER BEHAVIOR OF CONCERN INVOLVING FACILITY  
8 PERSONNEL, PATIENTS, OR VISITORS.

9 (b) "WORKPLACE VIOLENCE" INCLUDES:

10 (I) ANY ACT DESCRIBED IN SUBSECTION (8)(a) OF THIS SECTION  
11 THAT OCCURS BETWEEN FACILITY PERSONNEL, INCLUDING WHEN THE  
12 ALLEGED PERPETRATOR IS A SUPERIOR OR SUPERVISOR OF FACILITY  
13 PERSONNEL; AND

14 (II) AN INCIDENT INVOLVING THE USE OF A DANGEROUS WEAPON,  
15 REGARDLESS OF WHETHER FACILITY PERSONNEL ARE INJURED BY THE  
16 WEAPON.

17 (c) "WORKPLACE VIOLENCE" DOES NOT INCLUDE AN ACT OF  
18 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 PROGRAM" OR  
23 "PROGRAM" MEANS A PROGRAM OR PLAN DEVELOPED IN ACCORDANCE  
24 WITH SECTION 25-3-903 TO PREVENT, MITIGATE, AND RESPOND TO ACTS OF  
25 WORKPLACE VIOLENCE OR THREATS OF WORKPLACE VIOLENCE AT A  
26 FACILITY.

27 **25-3-903. Workplace violence prevention program - contents**

1 - training - annual review. (1) (a) EACH FACILITY SHALL ESTABLISH A  
2 WORKPLACE VIOLENCE PREVENTION PROGRAM THAT IS LED BY AN  
3 INDIVIDUAL DESIGNATED BY THE FACILITY AND IS DEVELOPED BY A  
4 MULTIDISCIPLINARY TEAM.

5 (b) A FACILITY'S WORKPLACE VIOLENCE PREVENTION PROGRAM  
6 MUST:

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

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

14 (A) ALLOWS AT LEAST SEVEN DAYS TO COMPLETE AN INCIDENT  
15 REPORT FILING;

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

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

24 (D) ALLOWS FOR THE ANALYSIS OF WORKPLACE VIOLENCE  
25 INCIDENTS AND TRENDS;

26 (III) INCLUDE A PROCESS TO FOLLOW UP WITH AND SUPPORT  
27 FACILITY PERSONNEL AND WITNESSES AFFECTED BY AN INCIDENT OF

1 WORKPLACE VIOLENCE, INCLUDING TRAUMA AND PSYCHOLOGICAL  
2 COUNSELING, IF NECESSARY; AND

3 (IV) REQUIRE REPORTING OF WORKPLACE VIOLENCE INCIDENTS  
4 AND UPDATES TO THE WORKPLACE VIOLENCE PREVENTION PROGRAM TO  
5 THE FACILITY'S GOVERNING BODY.

6 (2) (a) THE MULTIDISCIPLINARY TEAM THAT LEADS A FACILITY'S  
7 WORKPLACE VIOLENCE PREVENTION PROGRAM SHALL CONDUCT AN  
8 ANNUAL WORKSITE ANALYSIS TO DETERMINE WHETHER THERE ARE  
9 WORKPLACE VIOLENCE SAFETY AND SECURITY RISKS AT THE FACILITY. A  
10 FACILITY SHALL TAKE ACTIONS TO MITIGATE OR RESOLVE WORKPLACE  
11 VIOLENCE SAFETY AND SECURITY RISKS BASED ON FINDINGS FROM THE  
12 ANALYSIS AND AS REFLECTED IN THE PROGRAM.

13 (b) THE ANALYSIS CONDUCTED PURSUANT TO THIS SUBSECTION (2)  
14 MUST:

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

17 (II) ANALYZE STAFFING, INCLUDING INDIVIDUAL STAFFING  
18 PATTERNS AND PATIENT CLASSIFICATIONS, EMERGENCY RESPONSE  
19 PROTOCOLS, SECURITY PERSONNEL AVAILABILITY, AND SECURITY RISKS  
20 ASSOCIATED WITH SPECIFIC UNITS OR PROGRAMS IN A FACILITY.

21 (3) (a) A FACILITY'S MUTLIDISCIPLINARY TEAM SHALL ESTABLISH  
22 A PROCESS FOR CONTINUALLY MONITORING FOR, INTERNAL REPORTING OF,  
23 AND INVESTIGATING INCIDENTS OF WORKPLACE VIOLENCE INVOLVING  
24 PATIENTS, FACILITY PERSONNEL, OR OTHERS WITHIN THE FACILITY.

25 (b) AS PART OF THE PROCESS ESTABLISHED PURSUANT TO THIS  
26 SUBSECTION (3), THE TEAM SHALL CONDUCT QUARTERLY REVIEWS OF  
27 INCIDENTS OF WORKPLACE VIOLENCE THAT OCCURRED AT THE FACILITY IN



1 THE IMMEDIATELY PRECEDING QUARTER AND DOCUMENT ANY UPDATES TO  
2 THE WORKPLACE VIOLENCE PREVENTION PROGRAM THAT RESULT FROM  
3 THE REVIEW. THE TEAM SHALL ACCEPT ANY INFORMATION ON INCIDENTS  
4 OF WORKPLACE VIOLENCE AT THE FACILITY FROM FACILITY PERSONNEL,  
5 PATIENTS, OR OTHERS.

6 (4) (a) AS PART OF ITS WORKPLACE VIOLENCE PREVENTION  
7 PROGRAM, A FACILITY SHALL PROVIDE ANNUAL TRAINING, EDUCATION,  
8 AND RESOURCES TO FACILITY LEADERSHIP, INCLUDING THE MEMBERS OF  
9 THE GOVERNING BOARD, AND FACILITY PERSONNEL. IN ADDITION TO  
10 PROVIDING THE TRAINING, EDUCATION, AND RESOURCES ANNUALLY, THE  
11 FACILITY SHALL PROVIDE TRAINING, EDUCATION, AND RESOURCES:

12 (I) WITHIN NINETY DAYS AFTER ANY CHANGES OR UPDATES ARE  
13 MADE REGARDING THE WORKPLACE VIOLENCE PREVENTION PROGRAM;  
14 AND

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

18 (B) FOR MEMBERS OF FACILITY LEADERSHIP AND OF THE  
19 GOVERNING BOARD, WHEN THE MEMBER IS APPOINTED TO THE LEADERSHIP  
20 OR GOVERNING BOARD POSITION.

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

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

27 (I) AN EXPLANATION OF WHAT CONSTITUTES WORKPLACE

1 VIOLENCE AND AN OVERVIEW OF THE FACILITY'S WORKPLACE VIOLENCE  
2 PREVENTION PROGRAM;

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

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

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

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

15 (d) THE TRAINING MUST ALSO INCLUDE:

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

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

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

1 BENEFITS;

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

5 (D) INFORMATION ABOUT THE ABILITY OF FACILITY PERSONNEL TO  
6 CHOOSE A MEDICAL OR BEHAVIORAL HEALTH PROVIDER WHEN RECEIVING  
7 SERVICES; AND

8 (E) INFORMATION ABOUT ELIGIBILITY FOR BENEFITS, INCLUDING  
9 THAT FACILITY PERSONNEL PROVIDING SERVICES UNDER A CONTRACT  
10 WITH A FACILITY MAY BE ELIGIBLE FOR COVERAGE UNDER THE FACILITY'S  
11 WORKERS' COMPENSATION INSURANCE; AND

12 (II) INFORMATION ABOUT RIGHTS AND RESPONSIBILITIES UNDER  
13 THE "PAID FAMILY AND MEDICAL LEAVE INSURANCE ACT", PART 5 OF  
14 ARTICLE 13.3 OF TITLE 8, INCLUDING INFORMATION ABOUT ELIGIBILITY  
15 FOR LEAVE AND BENEFITS UNDER THE ACT.

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

18 **25-3-904. Responding to workplace violence incidents -**  
19 **prohibited acts.** (1) EACH FACILITY SHALL HAVE AND USE A  
20 STANDARDIZED APPROACH TO RESPONDING TO INCIDENTS OF WORKPLACE  
21 VIOLENCE THAT IS BASED ON THE FOLLOWING PRINCIPLES:

22 (a) EACH INCIDENT OF WORKPLACE VIOLENCE MUST BE ADDRESSED  
23 INDIVIDUALLY, TAKING INTO CONSIDERATION THE SPECIFIC  
24 CIRCUMSTANCES OF THE INCIDENT;

25 (b) THE RESPONSE TO THE INCIDENT BY INDIVIDUALS IN  
26 LEADERSHIP POSITIONS OR WHO ARE OTHERWISE AUTHORIZED TO RESPOND  
27 ON BEHALF OF THE FACILITY MUST INCLUDE ENGAGEMENT WITH FACILITY

1 PERSONNEL WHO ARE IMPACTED BY AN INCIDENT OF WORKPLACE  
2 VIOLENCE IN A MANNER THAT DEMONSTRATES THE FACILITY'S  
3 COMMITMENT TO OPEN AND AUTHENTIC COMMUNICATION, TO  
4 INTENTIONAL COLLABORATION IN DETERMINING A MEANINGFUL RESPONSE  
5 TO THE INCIDENT AND ITS EFFECTS ON THE WORKPLACE AND FACILITY  
6 PERSONNEL, AND TO ASCERTAINING APPROPRIATE STAFFING  
7 ALTERNATIVES FOR FACILITY PERSONNEL IMPACTED BY THE INCIDENT;

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

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

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

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

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

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

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

5 **25-3-905. Reporting.** (1) BY JULY 1, 2025, AND BY EACH JULY 1  
6 THEREAFTER, EACH FACILITY SHALL SUBMIT AN ANNUAL REPORT OF  
7 WORKPLACE VIOLENCE INCIDENTS TO THE DEPARTMENT IN A MANNER  
8 DETERMINED BY THE DEPARTMENT. REPORTS MUST INCLUDE, AT A  
9 MINIMUM:

10 (a) THE FACILITY AND LOCATION WITHIN THE FACILITY WHERE AN  
11 INCIDENT OCCURRED;

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

15 (c) THE NATURE OF THE WORKPLACE VIOLENCE INCIDENT, SUCH AS  
16 SEXUAL, PHYSICAL, OR A THREAT, AND WHETHER THE INCIDENT RESULTED  
17 IN BODILY INJURY OR OTHER PHYSICAL OR PSYCHOLOGICAL TRAUMA; AND

18 (d) THE STAFF-TO-PATIENT RATIO AT THE TIME OF THE INCIDENT.

19 (2) STARTING JANUARY 1, 2026, AND BY EACH JANUARY 1  
20 THEREAFTER, THE DEPARTMENT SHALL PUBLISH A COMPREHENSIVE  
21 REPORT ON INCIDENTS OF WORKPLACE VIOLENCE BY LICENSED FACILITY  
22 TYPE AND TYPE OF INJURY. THE DEPARTMENT SHALL MAKE AVAILABLE TO  
23 THE PUBLIC, UPON REQUEST, DISAGGREGATED INFORMATION SUBMITTED  
24 BY FACILITIES PURSUANT TO SUBSECTION (1) OF THIS SECTION; EXCEPT  
25 THAT THE DEPARTMENT SHALL NOT RELEASE INFORMATION IDENTIFYING  
26 A SPECIFIC FACILITY BY NAME OR ANY IDENTIFIABLE INFORMATION ABOUT  
27 INDIVIDUALS INVOLVED IN AN INCIDENT OF WORKPLACE VIOLENCE.

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

3           **27-50-305. Workplace violence prevention - program -**  
4 **incident reports - definitions - short title - legislative declaration.**

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

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

9 (a) "BEHAVIORAL HEALTH SERVICES" MEANS DIAGNOSTIC,  
10 THERAPEUTIC, OR PSYCHOLOGICAL SERVICES FOR BEHAVIORAL HEALTH  
11 CONDITIONS.

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

17 (c) "DANGEROUS WEAPON" MEANS:

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

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

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

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

26 (V) ANY OBJECT, DEVICE, INSTRUMENT, MATERIAL, OR  
27 SUBSTANCE, WHETHER ANIMATE OR INANIMATE, THAT IS USED OR

1 INTENDED TO BE USED TO INFLICT DEATH OR SERIOUS BODILY INJURY.

2 (d) "FACILITY" MEANS A COMPREHENSIVE COMMUNITY  
3 BEHAVIORAL HEALTH PROVIDER THAT IS A FACILITY.

4 (e) "FACILITY PERSONNEL" MEANS:  
5 (I) AN EMPLOYEE OF A FACILITY;  
6 (II) A LICENSED PROFESSIONAL BEHAVIORAL HEALTH PROVIDER  
7 WHO IS CONTRACTED WITH OR OTHERWISE AUTHORIZED TO PROVIDE  
8 BEHAVIORAL HEALTH SERVICES AT A FACILITY; OR  
9 (III) ANY OTHER INDIVIDUAL PERFORMING SERVICES AT A  
10 FACILITY.

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

14 (g) "INTIMIDATE" MEANS TO DIRECTLY OR INDIRECTLY INFLICT OR  
15 THREATEN TO INFLICT ANY INJURY, DAMAGE, HARM, OR LOSS UPON AN  
16 INDIVIDUAL.

17 (h) "LICENSED PROFESSIONAL BEHAVIORAL HEALTH PROVIDER"  
18 MEANS A BEHAVIORAL HEALTH PROVIDER WHO IS A LICENSED  
19 PROFESSIONAL PROVIDING BEHAVIORAL HEALTH SERVICES.

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

24 (j) (I) "WORKPLACE VIOLENCE" MEANS:  
25 (A) VERBAL, NONVERBAL, WRITTEN, OR PHYSICAL AGGRESSION;  
26 (B) THREATENING, INTIMIDATING, HARASSING, OR HUMILIATING  
27 WORDS OR ACTIONS;

- 1 (C) BULLYING;
- 2 (D) SABOTAGE;
- 3 (E) SEXUAL HARASSMENT;
- 4 (F) PHYSICAL ASSAULT; OR
- 5 (G) OTHER BEHAVIOR OF CONCERN INVOLVING FACILITY
- 6 PERSONNEL, PATIENTS, OR VISITORS.

7 (II) "WORKPLACE VIOLENCE" INCLUDES:

8 (A) ANY ACT DESCRIBED IN SUBSECTION (2)(j)(I) OF THIS SECTION

9 THAT OCCURS BETWEEN FACILITY PERSONNEL, INCLUDING WHEN THE

10 ALLEGED PERPETRATOR IS A SUPERIOR OR SUPERVISOR OF FACILITY

11 PERSONNEL; AND

12 (B) AN INCIDENT INVOLVING THE USE OF A DANGEROUS WEAPON,

13 REGARDLESS OF WHETHER FACILITY PERSONNEL ARE INJURED BY THE

14 WEAPON.

15 (III) "WORKPLACE VIOLENCE" DOES NOT INCLUDE AN ACT OF

16 SELF-ADVOCACY THAT IS WITHIN AN INDIVIDUAL'S LEGAL RIGHT TO

17 PURSUE, INCLUDING WHEN AN INDIVIDUAL THREATENS TO PURSUE LEGAL

18 ACTION OR TO FILE A GRIEVANCE OR COMPLAINT WITH A REGULATORY OR

19 ACCREDITATION BODY.

20 (k) "WORKPLACE VIOLENCE PREVENTION PROGRAM" OR

21 "PROGRAM" MEANS A PROGRAM OR PLAN DEVELOPED IN ACCORDANCE

22 WITH SUBSECTION (3) OF THIS SECTION TO PREVENT, MITIGATE, AND

23 RESPOND TO ACTS OF WORKPLACE VIOLENCE OR THREATS OF WORKPLACE

24 VIOLENCE AT A FACILITY.

25 (3) **Workplace violence prevention program.** (a) EACH

26 FACILITY SHALL ESTABLISH A WORKPLACE VIOLENCE PREVENTION

27 PROGRAM THAT IS LED BY AN INDIVIDUAL DESIGNATED BY THE FACILITY



1 AND IS DEVELOPED BY A MULTIDISCIPLINARY TEAM.

2 (b) A FACILITY'S WORKPLACE VIOLENCE PREVENTION PROGRAM

3 MUST:

4 (I) ESTABLISH WRITTEN POLICIES AND PROCEDURES TO PREVENT,

5 MITIGATE, AND RESPOND TO INCIDENTS OF WORKPLACE VIOLENCE, WHICH

6 POLICIES AND PROCEDURES MUST BE REVIEWED AND EVALUATED AT LEAST

7 ANNUALLY;

8 (II) ESTABLISH A STANDARDIZED AND STREAMLINED PROCESS FOR

9 FACILITY PERSONNEL, PATIENTS, AND VISITORS TO REPORT INCIDENTS OF

10 WORKPLACE VIOLENCE THAT:

11 (A) ALLOWS AT LEAST SEVEN DAYS TO COMPLETE AN INCIDENT

12 REPORT FILING;

13 (B) CONSISTENTLY PROVIDES ADMINISTRATIVE SUPPORT TO

14 FACILITY PERSONNEL TO ENSURE THEIR ABILITY TO RESPOND TO INTERNAL

15 AND EXTERNAL REQUIREMENTS FOR REPORTING WORKPLACE VIOLENCE;

16 (C) ENABLES FACILITY PERSONNEL, WHEN REPORTING AN INCIDENT

17 OF WORKPLACE VIOLENCE THROUGH THE FACILITY'S EXISTING

18 OCCURRENCE REPORTING SYSTEMS, TO REPORT THE INCIDENT WITHOUT

19 DISCLOSING A PATIENT'S, FACILITY PERSONNEL MEMBER'S, OR

20 VOLUNTEER'S PERSONALLY IDENTIFIABLE INFORMATION; AND

21 (D) ALLOWS FOR THE ANALYSIS OF WORKPLACE VIOLENCE

22 INCIDENTS AND TRENDS;

23 (III) INCLUDE A PROCESS TO FOLLOW UP WITH AND SUPPORT

24 FACILITY PERSONNEL AND WITNESSES AFFECTED BY AN INCIDENT OF

25 WORKPLACE VIOLENCE, INCLUDING TRAUMA AND PSYCHOLOGICAL

26 COUNSELING, IF NECESSARY; AND

27 (IV) REQUIRE REPORTING OF WORKPLACE VIOLENCE INCIDENTS

1 AND UPDATES TO THE WORKPLACE VIOLENCE PREVENTION PROGRAM TO  
2 THE FACILITY'S GOVERNING BODY.

3 **(4) Annual worksite analysis.** (a) THE MULTIDISCIPLINARY TEAM  
4 THAT LEADS A FACILITY'S WORKPLACE VIOLENCE PREVENTION PROGRAM  
5 SHALL CONDUCT AN ANNUAL WORKSITE ANALYSIS TO DETERMINE  
6 WHETHER THERE ARE WORKPLACE VIOLENCE SAFETY AND SECURITY RISKS  
7 AT THE FACILITY. A FACILITY SHALL TAKE ACTIONS TO MITIGATE OR  
8 RESOLVE WORKPLACE VIOLENCE SAFETY AND SECURITY RISKS BASED ON  
9 FINDINGS FROM THE ANALYSIS AND AS REFLECTED IN THE PROGRAM.

10 (b) THE ANALYSIS CONDUCTED PURSUANT TO THIS SUBSECTION (4)  
11 MUST:

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

14 (II) ANALYZE STAFFING, INCLUDING INDIVIDUAL STAFFING  
15 PATTERNS AND PATIENT CLASSIFICATIONS, EMERGENCY RESPONSE  
16 PROTOCOLS, SECURITY PERSONNEL AVAILABILITY, AND SECURITY RISKS  
17 ASSOCIATED WITH SPECIFIC UNITS OR PROGRAMS IN A FACILITY.

18 **(5) Monitoring, reporting, and investigating incidents.** (a) A  
19 FACILITY'S MULTIDISCIPLINARY TEAM SHALL ESTABLISH A PROCESS FOR  
20 CONTINUALLY MONITORING FOR, INTERNAL REPORTING OF, AND  
21 INVESTIGATING INCIDENTS OF WORKPLACE VIOLENCE INVOLVING  
22 PATIENTS, FACILITY PERSONNEL, OR OTHERS WITHIN THE FACILITY.

23 (b) AS PART OF THE PROCESS ESTABLISHED PURSUANT TO THIS  
24 SUBSECTION (5), THE TEAM SHALL CONDUCT QUARTERLY REVIEWS OF  
25 INCIDENTS OF WORKPLACE VIOLENCE THAT OCCURRED AT THE FACILITY IN  
26 THE IMMEDIATELY PRECEDING QUARTER AND DOCUMENT ANY UPDATES TO  
27 THE WORKPLACE VIOLENCE PREVENTION PROGRAM THAT RESULT FROM

1 THE REVIEW. THE TEAM SHALL ACCEPT ANY INFORMATION ON INCIDENTS  
2 OF WORKPLACE VIOLENCE AT THE FACILITY FROM FACILITY PERSONNEL,  
3 PATIENTS, OR OTHERS.

4 (6) **Training, education, and resources.** (a) AS PART OF ITS  
5 WORKPLACE VIOLENCE PREVENTION PROGRAM, A FACILITY SHALL PROVIDE  
6 ANNUAL TRAINING, EDUCATION, AND RESOURCES TO FACILITY  
7 LEADERSHIP, INCLUDING THE MEMBERS OF THE GOVERNING BOARD, AND  
8 FACILITY PERSONNEL. IN ADDITION TO PROVIDING THE TRAINING,  
9 EDUCATION, AND RESOURCES ANNUALLY, THE FACILITY SHALL PROVIDE  
10 TRAINING, EDUCATION, AND RESOURCES:

11 (I) WITHIN NINETY DAYS AFTER ANY CHANGES OR UPDATES ARE  
12 MADE REGARDING THE WORKPLACE VIOLENCE PREVENTION PROGRAM;  
13 AND

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

17 (B) FOR MEMBERS OF FACILITY LEADERSHIP AND OF THE  
18 GOVERNING BOARD, WHEN THE MEMBER IS APPOINTED TO THE LEADERSHIP  
19 OR GOVERNING BOARD POSITION.

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

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

26 (I) AN EXPLANATION OF WHAT CONSTITUTES WORKPLACE  
27 VIOLENCE AND AN OVERVIEW OF THE FACILITY'S WORKPLACE VIOLENCE

1 PREVENTION PROGRAM;

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

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

8 (IV) THE PROCESS FOR REPORTING INCIDENTS OF WORKPLACE  
9 VIOLENCE; AND

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

14 (d) THE TRAINING MUST ALSO INCLUDE:

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

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

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

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

4 (D) INFORMATION ABOUT THE ABILITY OF FACILITY PERSONNEL TO  
5 CHOOSE A MEDICAL OR BEHAVIORAL HEALTH PROVIDER WHEN RECEIVING  
6 SERVICES; AND

7 (E) INFORMATION ABOUT ELIGIBILITY FOR BENEFITS, INCLUDING  
8 THAT FACILITY PERSONNEL PROVIDING SERVICES UNDER A CONTRACT  
9 WITH A FACILITY MAY BE ELIGIBLE FOR COVERAGE UNDER THE FACILITY'S  
10 WORKERS' COMPENSATION INSURANCE; AND

11 (II) INFORMATION ABOUT RIGHTS AND RESPONSIBILITIES UNDER  
12 THE "PAID FAMILY AND MEDICAL LEAVE INSURANCE ACT", PART 5 OF  
13 ARTICLE 13.3 OF TITLE 8, INCLUDING INFORMATION ABOUT ELIGIBILITY  
14 FOR LEAVE AND BENEFITS UNDER THE ACT.

15 (7) **Availability of policies and procedures.** A FACILITY SHALL  
16 MAKE WORKPLACE VIOLENCE POLICIES AND PROCEDURES AVAILABLE TO  
17 FACILITY PERSONNEL.

18 (8) **Responding to workplace violence incidents.** EACH FACILITY  
19 SHALL HAVE AND USE A STANDARDIZED APPROACH TO RESPONDING TO  
20 INCIDENTS OF WORKPLACE VIOLENCE THAT IS BASED ON THE FOLLOWING  
21 PRINCIPLES:

22 (a) EACH INCIDENT OF WORKPLACE VIOLENCE MUST BE ADDRESSED  
23 INDIVIDUALLY, TAKING INTO CONSIDERATION THE SPECIFIC  
24 CIRCUMSTANCES OF THE INCIDENT;

25 (b) THE RESPONSE TO THE INCIDENT BY INDIVIDUALS IN  
26 LEADERSHIP POSITIONS OR WHO ARE OTHERWISE AUTHORIZED TO RESPOND  
27 ON BEHALF OF THE FACILITY MUST INCLUDE ENGAGEMENT WITH FACILITY

1 PERSONNEL WHO ARE IMPACTED BY AN INCIDENT OF WORKPLACE  
2 VIOLENCE IN A MANNER THAT DEMONSTRATES THE FACILITY'S  
3 COMMITMENT TO OPEN AND AUTHENTIC COMMUNICATION, TO  
4 INTENTIONAL COLLABORATION IN DETERMINING A MEANINGFUL RESPONSE  
5 TO THE INCIDENT AND ITS EFFECTS ON THE WORKPLACE AND FACILITY  
6 PERSONNEL, AND TO ASCERTAINING APPROPRIATE STAFFING  
7 ALTERNATIVES FOR FACILITY PERSONNEL IMPACTED BY THE INCIDENT;

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

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

19 (9) **Prohibited acts.** (a) A FACILITY SHALL NOT DISCOURAGE  
20 FACILITY PERSONNEL FROM EXERCISING THEIR RIGHT TO CONTACT OR FILE  
21 A REPORT WITH LAW ENFORCEMENT OR ANY REGULATORY BODY  
22 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 MEMBER OF FACILITY PERSONNEL OF THE MEMBER'S  
2 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 (10) **Reporting.** (a) BY JULY 1, 2025, AND BY EACH JULY 1  
6 THEREAFTER, EACH FACILITY SHALL SUBMIT AN ANNUAL REPORT OF  
7 WORKPLACE VIOLENCE INCIDENTS TO THE BHA IN A MANNER DETERMINED  
8 BY THE BHA. REPORTS MUST INCLUDE, AT A MINIMUM:

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

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

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

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

19 (b) STARTING JANUARY 1, 2026, AND BY EACH JANUARY 1  
20 THEREAFTER, AFTER REMOVING ANY PERSONALLY IDENTIFIABLE  
21 INFORMATION, THE BHA SHALL EITHER:

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

1 IDENTIFIABLE INFORMATION ABOUT INDIVIDUALS INVOLVED IN AN  
2 INCIDENT OF WORKPLACE VIOLENCE; OR

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

6 (11) **Alternative compliance method.** A FACILITY THAT  
7 COMPLIES WITH THE REQUIREMENTS OF AN ALTERNATIVE CREDENTIALING  
8 OR LICENSING AGENCY THAT ARE SUBSTANTIALLY SIMILAR TO THE  
9 REQUIREMENTS OF SUBSECTIONS (3) TO (7) OF THIS SECTION SHALL BE  
10 DEEMED TO BE IN COMPLIANCE WITH SUBSECTIONS (3) TO (7) OF THIS  
11 SECTION.

12 **SECTION 4. Act subject to petition - effective date.** This act  
13 takes effect September 1, 2024; except that, if a referendum petition is  
14 filed pursuant to section 1 (3) of article V of the state constitution against  
15 this act or an item, section, or part of this act within the ninety-day period  
16 after final adjournment of the general assembly, then the act, item,  
17 section, or part will not take effect unless approved by the people at the  
18 general election to be held in November 2024 and, in such case, will take  
19 effect on the date of the official declaration of the vote thereon by the  
20 governor.