

F. Hospitals in the Commonwealth shall:

1. Establish a workplace violence incident reporting system, through which each hospital shall document, track, and analyze any incident of workplace violence reported. The results of such analysis shall be used to make improvements in preventing workplace violence, including improvements achieved through continuing education in targeted areas, including de-escalation training, risk identification, and violence prevention planning. Such reporting system shall (i) be clearly communicated to all employees, including to any new employees at the employee orientation, and (ii) include guidelines on when and how to report incidents of workplace violence to the employer, security agencies, and appropriate law-enforcement authorities;
2. Record all reported incidents of workplace violence as voluntarily reported by an employee; and
3. Adopt a policy that prohibits any person from discriminating or retaliating against any employee of the hospital for reporting to, or seeking assistance or intervention from, the employer, security agencies, law enforcement authorities, local emergency services organizations, government agencies, or others participating in any incident investigation. Such policy shall comply with the provisions of § 40.1-27.3.

G. Each hospital in the Commonwealth shall maintain the record of reported incidents of workplace violence made pursuant to subsection F for at least two years and shall include in such record, at a minimum:

1. The date and time of the incident;
2. A description of the incident, including the job titles of the affected employee;
3. Whether the perpetrator was a patient, visitor, employee, or other person;
4. A description of where the incident occurred;
5. Information relating the type of incident, including whether the incident involved (i) a physical attack without a weapon; (ii) an attack with a weapon or object; (iii) a threat of physical force or use of a weapon or other object with the intent to cause bodily harm; (iv) sexual assault or the threat of sexual assault; or (v) anything else not listed in subdivisions (i) through (iv);
6. The response to and any consequences of the incident, including (i) whether security or law enforcement was contacted and, if so, their response and (ii) whether the incident resulted in any change to hospital policy; and
7. Information about the individual who completed the report, including such individual's name, job title, and the date of completion.

H. Each hospital shall:

1. Report the data collected and reported pursuant to subsection G to the chief medical officer and the chief nursing officer of such hospital on, at a minimum, a quarterly basis; and

2. Send a report to the Department on an annual basis that includes, at a minimum, the number of incidents of workplace violence voluntarily reported by an employee pursuant to subsection F. Any report made to the Department pursuant to this subdivision shall be aggregated to remove any personally identifiable information.

I. As used in this section:

"Employee of the hospital" or "employee" means an employee of the hospital or any health care provider credentialed by the hospital or engaged by the hospital to perform health care services on the premises of the hospital.

"Workplace violence" means any act of violence or threat of violence, without regard to the intent of the perpetrator, that occurs against an employee of the hospital while on the premises of such hospital and engaged in the performance of his duties. "Workplace violence" includes (i) the threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether physical injury is sustained, and (ii) any incident involving the threat of using dangerous weapons or using common objects as weapons or to cause physical harm, regardless of whether physical injury is sustained.