

PUBLIC NOTICE

HEALTH

Notice of Receipt of Petition for Rulemaking

General Licensure Procedures and Standards Applicable to All Licensed Facilities

Violence Prevention in Healthcare Facilities

N.J.A.C. 8:43E-11

Petitioner: Caleb L. McGillvary, Trenton State Prison.

Take notice that on July 24, 2026, the Department of Health (Department) received a petition for rulemaking from Caleb L. McGillvary, Trenton State Prison, Trenton, New Jersey.

Substance or Nature of the Requested Rulemaking Action

The petitioner requests that the Department promulgate new rules at existing N.J.A.C. 8:43E-11 to require “enhanced workplace violence prevention measures designed to protect healthcare workers from physical assaults, threats, harassment, stalking, intimidation, and other forms of workplace violence.” The petitioner provides suggested text of new rules at N.J.A.C. 8:43E-11.

The petitioner states that his interest in the requested rulemaking is his status as a resident of the State who is “concerned with public health, worker safety, healthcare system stability, and the efficient operation of health care facilities throughout the State.”

Problem or Purpose of the Request

The petitioner states that the problems that the requested rulemaking would address are that “healthcare workers experience workplace violence at rates

substantially exceeding most other occupations”; implementation of existing State violence-prevention programs “remains inconsistent”; studies (no citations provided) “have found significant deficiencies in training, committee function, and reporting systems,” and that violent incidents in New Jersey hospitals have “increased significantly over recent years”; and workplace violence among healthcare workers contributes to negative economic and social consequences that affect patient safety.

The petitioner states that existing N.J.A.C. 8:43E-11 establishes “an important framework but do[es] not adequately address recurring deficient identified in the literature and by frontline healthcare workers” (no citations provided), and, therefore, “additional regulatory action is warranted.”

The petitioner provides the following as suggested text of the new rules:

“TITLE 8

HEALTH

CHAPTER 43E

GENERAL LICENSURE PROCEDURES AND STANDARDS APPLICABLE TO ALL
LICENSED FACILITIES

N.J.A.C. 8:43E-11.16 Enhanced Workplace Violence Prevention Requirements

(a) Violent Patient Alert System

Every covered healthcare facility shall maintain an electronic system for documenting, flagging, and communicating prior acts of violence, threats, intimidation, stalking, sexual harassment, or assault committed by patients, visitors, or other individuals.

(b) Reporting Requirements

i. Facilities shall maintain a reporting system permitting completion of reports in ten minutes or less.

ii. Reports shall be reviewed within seventy-two hours.

iii. Supervisors shall document responsive action.

iv. Employees shall receive written notice of disposition.

(c) Alarm Differentiation

Emergency notification systems shall utilize distinct audible tones, visual indicators, or both, sufficient to distinguish:

i. Staff emergency;

ii. Cardiac arrest;

iii. Fire emergency;

iv. Security emergency;

v. Active assailant event.

(d) Behavioral Expectations Signage

Facilities shall prominently display signage at entrances, waiting rooms, emergency departments, behavioral health units, and registration areas stating: "Threats, harassment, intimidation, verbal abuse, stalking, and physical violence directed toward healthcare personnel are prohibited and may result in removal, discharge, criminal prosecution, or other lawful action."

(e) Employee Privacy Protection

Healthcare workers shall be permitted to use first names and last initials on publicly visible identification badges. No facility shall require public display of a worker's full surname unless specifically required by federal law.

(f) Anti-Retaliation

No employee shall suffer adverse employment action for reporting workplace violence or participating in violence-prevention activities.

(g) Annual Audits

Facilities shall conduct annual violence-prevention audits and submit results to the Department.

(h) Public Reporting

Facilities shall annually report:

- i. Number of violent incidents;
- ii. Number resulting in injury;
- iii. Number referred to law enforcement;
- iv. Corrective actions implemented;
- v. Training compliance rates.”

In accordance with the provisions at N.J.A.C. 1:30-4.3, the Department will subsequently mail to the petitioner and file with the Office of Administrative Law a notice of action on the petition.