

New Era for Workplace Violence Reporting in Virginia: Healthcare Employers Must Act Now

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Meet the Authors



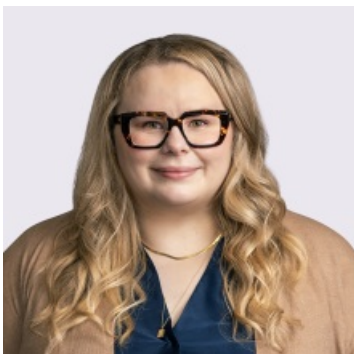
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Takeaways

- Effective 07.01.25, most healthcare employers in Virginia must implement a new reporting system that tracks incidents of workplace violence, notify all employees of the system, and provide guidelines on when and how to report incidents of workplace violence.
- Employers must implement a policy prohibiting discriminating or retaliating against any employee for reporting incidents of workplace violence.
- Virginia healthcare employers must take immediate steps to create and implement a workplace violence incident reporting system.

Related links

- [House Bill 2269](#)
- [Senate Bill 1260](#)
- [Virginia Code § 32.1-127](#)
- [Virginia Code § 40.1-27.3](#)

Article

Beginning July 1, 2025, healthcare employers in Virginia will be required to create workplace violence prevention plans or reporting systems. Employers must document, track, and analyze incidents of workplace violence and maintain records of incidents for at least two years.

On March 24, 2025, Governor Glenn Youngkin signed into law identical bills, [House Bill 2269](#) and [Senate Bill 162](#), creating the new reporting requirements. The law aims to enhance the safety of healthcare workers through continuing education, de-escalation training, risk identification, and violence prevention planning. The bills amend [Section 31.1-127 of the Code of Virginia](#).

California, Connecticut, Illinois, Louisiana, Maine, Maryland, Minnesota, New Jersey, New York, Oregon, Texas, and Washington already have such requirements.

Definitions

Hospital. Although the amended Section 31.1-127 and its underlying legislation use the term “hospital,” this term is a bit of a misnomer because it encompasses most healthcare employers in Virginia. The term is defined by Section 32.1-123 of the Code of Virginia and includes “any facility licensed” pursuant to “Article 1. Hospital and Nursing Home License” and “in which the primary function is the provision of diagnosis, of treatment, and of medical and nursing services, surgical or nonsurgical, for two or more nonrelated individuals.”

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Related Services

Healthcare
Workplace Safety and Health

Employee of the hospital and employee. “Employee” under amended Section 31.1-127 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.” Incidents that include any staff member, not just those providing healthcare services, must be captured in the new reporting system.

Workplace violence. Under amended Section 31.1-127, “workplace violence” includes “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.” This includes threats or use of physical force against an employee that may result in injury, psychological trauma, or stress, “regardless of whether physical injury is sustained.”

Reporting, Tracking Requirements

Qualifying hospitals’ systems must document, track, and analyze any reported incidents of workplace violence. The incident reporting system must include the following components:

1. Date and time of the incident;
2. Description of the incident, including the affected employees’ job titles;
3. Perpetrator’s identity (patient, visitor, employee, or other person);
4. Location of the incident;
5. Type of incident (physical attack, threat, sexual assault, other);
6. Response and consequences of the incident; and
7. Reporter’s information (name, job title, and the date of completion).

Amended Section 31.1-127 also requires hospitals to report the data they collect, at a minimum, quarterly to the hospital’s chief medical officer and chief nursing officer. Hospitals must send an annual report without personally identifiable information to the Department of Health that includes the number of incidents reported.

Notice, Policy, Continuing Education Requirements

Qualifying healthcare employers must notify all employees about the workplace violence incident reporting system, including any new employees during orientation. Employers must also provide training on when and how to report incidents of workplace violence to their employer, security agencies, and appropriate law-enforcement authorities.

Amended Section 31.1-127 requires qualifying healthcare employers to adopt a policy that prohibits any person from discriminating or retaliating against any employee 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.”

Employers must also analyze the data to make improvements in preventing workplace violence. Amended Section 31.1-127 expressly identifies how such improvements can be made, including by providing continuing education in targeted areas, such as de-escalation training, risk identification, and violence prevention planning.

Steps for Healthcare Employers in Virginia

With the July 1 effective date fast approaching, qualifying Virginia healthcare employers must take immediate steps to create and implement a workplace violence incident

reporting system. Steps employers can take to comply with the new law:

1. Review employee handbooks and standalone workplace violence and safety policies or implement such policies.
2. Review and update onboarding documents for new employees.
3. Review employee trainings and continuing education to determine whether they sufficiently address de-escalation, risk identification, and violence prevention planning.
4. Stay up to date on potential changes as the new law directs the Virginia Secretary of Health and Human Resources to “convene a stakeholder work group” that includes various state agencies and trade groups “for the purpose of making recommendations on the workplace violence reporting system and policies.” Additional statutes, regulations, and administrative guidance can be expected in the coming years.

To understand how the new law might affect your organization, please contact a Jackson Lewis attorney for insight and guidance.

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