



NEW YORK CITY DEPARTMENT OF
HEALTH AND MENTAL HYGIENE
Alister Martin, MD, MPP
Health Commissioner

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NYC Department of
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Hygiene

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Property access policy

Introduction

This policy implements New York City [Administrative Code § 4-210](#), Executive Order 13 of 2026, and New York State General Municipal Law (GML) § 996-a by limiting access by non-local law enforcement officers, including “immigration authorities,” as such term is defined in GML § 996, to non-public areas of NYC Health Department property (including spaces owned or leased by the City, and any vacant lots, parking lots, or garages leased or owned by the City and over which the City has operational control).

Important note: In most NYC Health Department buildings, this policy will apply only to the Department’s Health Police and security personnel responsible for managing property access. In certain locations where the Department does not have Health Police or security personnel present, other staff may be required to manage property access and follow this policy, subject to direction from their division’s leadership.

Policy

If there is a request or attempt to enter a non-public area of a NYC Health Department building by any non-NYC governmental personnel who are empowered to enforce civil or criminal laws (i.e., a law enforcement officer other than personnel of the City, the City Department of Education, NYC Health + Hospitals, NYCHA, Port Authority, MTA, or another local public benefit corporation or local public authority), then NYC Health Department personnel must follow the **procedure** below.

A non-public area of a NYC Health Department building is an area that is not open to access without being granted entry by agency staff or security personnel. A NYC Health Department facility lobby—the area that a member of the public may access freely by entering the front door during business hours—is a public area. NYC Health Department clinic exam rooms, clinic waiting areas, training rooms, and employee offices and cubicles are non-public areas. Health Department facility management staff are directed to review building signage to ensure that non-public areas are clearly marked.

Procedure

1. NYC Health Department staff or security personnel should ask the requesting non-NYC government personnel for:
 - a. Identification (name and badge/ID), employer, and business card(s)
 - b. Purpose of visit
 - c. Any relevant documentation (e.g. subpoena, warrant, accompanying affidavits, other documents)
2. NYC Health Department staff or security personnel should advise the requesting non-NYC government personnel that:
 - a. Prior to responding to the request, NYC Health Department staff/security personnel must notify and obtain guidance from the NYC Health Department's Office of General Counsel
 - b. The requesting non-NYC government personnel should be asked to wait outside or in a part of the public area that does not impede the flow of traffic and minimizes disruption to agency operations, while staff or security personnel obtain instruction from the Office of General Counsel
 - c. If the requesting non-NYC government personnel objects, security personnel should provide them with the name and telephone number of the Office of General Counsel and ask them to communicate directly.
3. NYC Health Department staff or security personnel should immediately call the Office of General Counsel at (347) 396-6116, or outside of regular business hours call the Health Police at (347) 396-4000, and await further instruction.
 - Security personnel and agency staff should not consent to entry or search without first discussing with the Office of General Counsel and obtaining authorization to consent.
4. The Office of General Counsel will review all documentation provided by the requesting non-NYC government personnel and make a determination about whether access is required by law, or otherwise permitted by Admin. Code § 4-210, GML § 996-a, and appropriate.
 - The Office of the General Counsel may request that NYC Health Department staff provide them with details about all documentation provided, for example by photographing or verbally describing the contents of any such documentation. However, under no circumstances are NYC Health Department staff to risk their own health and safety to obtain images, copies, or details of documentation.

If a non-local law enforcement officer insists on immediately accessing non-public areas of NYC Health Department property before contact can be made with the Office of General Counsel, agency personnel should not engage in any physical altercation with non-local law enforcement. Agency personnel should document the individual's actions within the property and promptly call the Office of General Counsel to describe the incident and receive any further instructions, and may call 911 or request emergency law enforcement response as needed.

Staff who interact with a non-local law enforcement officer related to property access must promptly complete an incident report, on a form prescribed by the Commissioner.

In the event of a public safety emergency, Health Police may direct entry of non-local law enforcement personnel without following the procedure above.

Presence in Public Areas of NYC Health Department Property

Health Police and security personnel must ensure that public areas of NYC Health Department property (e.g., facility lobbies and waiting areas open to members of the public during business hours) remain freely accessible to any visitor seeking to conduct business before the agency and anyone accompanying such visitors. However, when members of the public, including non-local law enforcement officers, enter and remain in a public area of NYC Health Department property without an apparent purpose to conduct business before the agency, such members of the public should be directed by Health Police and security personnel to leave the property. Health Police and security personnel must seek to enforce the removal of any noncompliant individual, according to standard security procedures.

Approval of Regular Visits

NYC Health Department staff and contractors who regularly host non-local law enforcement officers on site (e.g., for joint project meetings, joint inspection activities, regular audit or inspection functions) should contact the Office of General Counsel to discuss ongoing approval of such visits on the basis that they are part of a cooperative interagency arrangement or further the purpose or mission of the Department.

Compliance

NYC Health Department staff who fail to comply with this policy may be subject to discipline, which may include suspension or termination.

Applicability to NYC Health Department contractors and subcontractors

This policy applies to NYC Health Department contractors and subcontractors performing “human services” work (including but not limited to medical services and social services provided to members of the public) for the Department, including when performing work outside of City facilities. Subcontractors may include entities that subcontract with large NYC Health Department contractors such as Public Health Solutions and the Fund for Public Health in NYC.

1. NYC Health Department staff involved in the contracting process must work with the Office of General Counsel to either include appropriate provisions in contracts or contract riders to require that the contractor and their subcontractors must limit non-local law enforcement access to non-public areas of their property, consistent with the NYC Health Department policy described here.
2. In addition, NYC Health Department staff involved in contracting for security services must also work with the Office of General Counsel to either include appropriate provisions in contracts or contract riders to require that the

contractor provide training to its security guards and any subcontracted security guards about this policy.

Questions

If any staff have questions about this policy, they are asked to direct them to their supervisors and the Office of General Counsel.

Signed:	 _____ Alister Martin, MD, MPP Health Commissioner
Date:	_____ September 3, 2026