



Support

HB 1302 – Criminal Law – Felony Second Degree Assault – Emergency Medical Care Workers

House Judiciary Committee

February 21, 2020

The Maryland Nurses Association (MNA) supports *House Bill 1302 – Criminal Law – Felony Second Degree Assault – Emergency Medical Care Workers*. The bill would recognize that nurses and other health care workers should have the same legal protection as first responders. Current law provides for an enhanced penalty for an assault against first responder or police officer when the assailant knew the victim was on the job.

MNA wants all health care workers, including nurses, to be safe in their workplace. When health care providers are safe, they can provide high-quality of care to their patients and maintain their patients' safety. Unfortunately, there are many risks in the health care environment. Incidents of serious violence are 4 times more common in healthcare than in other industries (such as manufacturing, construction, or retail).ⁱ Health care workers in emergency department are at the highest risk, causing them to consider leaving nursing. About one-third of emergency nurses reported that they have considered leaving nursing because of workplace violence.ⁱⁱ

Thirty states provide for an enhanced penalty for assault against a health care worker. HB 894 is a critical first step for Maryland, as it recognizes that health care workers in emergency rooms are the most vulnerable. Our legal system should have special recognition of the serious nature of assault against health care providers.

MNA is committed to ensuring the legal system works for nurses and other health care providers in the workplace. We have recently established a Workplace Violence Prevention Collaborative with the Maryland Hospital Association. Our goals are to prevent workplace violence through the promotion of best practices in training and de-escalation policies; and when violence occurs, we are focused on ensuring the victims of the assault have the resources they need to recover and return the workplace.

We ask for a favorable vote. This bill will provide an important tool in addressing workplace violence in health care facilities. If we can provide any additional information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

The Maryland Nurses Association, a constituent member association of the American Nurses Association (ANA), representing Maryland's professional nurses since 1904

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ⁱ *OSHA 3826. Workplace Violence in Healthcare. Understanding the Challenge. (2015). <https://www.osha.gov/Publications/OSHA3826.pdf>

ⁱⁱ Gacki-Smith, Jessica et al. Violence Against Nurses Working in US Emergency Departments. The Journal of Nursing Administration. July-August 2009, Volume 39 – Issue 7/8.