



State of Maryland

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HB 1110: Criminal Law – Felony Second-Degree Assault – Emergency Medical Care Workers

MIEMSS Position: Support

Bill Summary: HB 1110 expands felony second degree assault to include the intentional causing of physical injury to another person if the person committing the act knows or has reason to know that the other person is a worker who is providing emergency and related services in an emergency department at a hospital or a freestanding medical facility.

Background: In 2015, HB 236 (Chapter 410)-Criminal Law-Assault-First Responders added firefighters, emergency medical technicians, rescue squad members, or any other first responder engaged in providing emergency medical care or rescue services to the Annotated Code of Maryland Criminal Law Article § 3-203, making it a second degree felony to assault these individuals.

Rationale:

- Hospital emergency departments (ED) are open 24 hours a day, seven days a week, and are available to treat individuals seeking emergency care. ED personnel are an essential component of the statewide emergency medical services system and often work under difficult circumstances to provide life-saving care.
- ED personnel are often at significant risk for workplace violence from patients or patients' families.
- The Occupational Safety & Health Administration (OSHA) found that workers in the healthcare sector account about 50% of all victims of workplace assault.
- OSHA reports that between 2002 and 2013, serious incidents of workplace violence were four times more common for workers in the healthcare sector than for all other workers in the United States.
- Workplace violence results in low staff morale, high worker turnover, and job burnout. (OSHA, Guidelines for preventing workplace violence for healthcare and social service workers, 2015)
- Violence-related injuries are four times more likely to cause health care workers to take time off from work than other kinds of injuries. (US Dept. of Labor, 2014)
- At least 30 states have felony penalties for violence against healthcare workers.
- Individuals who intentionally cause injury to ED personnel should be subject to the same penalties that are available to other emergency personnel, i.e., law enforcement officers, firefighters, emergency medical technicians, and first responders.

MIEMSS urges a favorable report on HB 1110