

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

Position: *Support*

Bill Summary

HB 1110 makes assaulting a worker who is providing emergency and related services in an emergency department of a hospital a second-degree felony.

Bill Rationale

The bill is an important measure to promote the safety and well-being of individuals across the state and, more specifically, the health care workers in our state. The incidence of workplace violence in health care settings is on the rise and is pervasive.

According to the Occupational Safety and Health Administration (OSHA), approximately 75 percent of the nearly 25,000 workplace assaults reported annually occurred in health care and social service settings, and workers in health care settings are four times more likely to be victimized than workers in other industries. The Bureau of Labor Statistics data show that violence-related injuries are four times more likely to cause health care workers to take time off from work than other kinds of injuries. Violence against health care workers occurs in virtually all settings, with the emergency department and inpatient psychiatric settings having the most recorded incidents.

Alarming, the actual number of violent incidents involving health care workers is likely much higher, because episodes of workplace violence are grossly underreported. Health care has several unique cultural factors that may contribute to underreporting or acceptance of workplace violence. For example, caregivers feel a professional and ethical duty to “do no harm” to patients. Some will put their own safety and health at risk to help a patient, and many health care professionals consider violence to be “part of the job.”

Protecting our associates from the dangers of workplace violence is a key priority for MedStar Health. In 2017, MedStar Health established a Workplace Violence Prevention Committee that has:

- Developed and implemented a systemwide electronic system for reporting incidences of workplace violence;
- Developed a zero-tolerance policy for workplace violence;
- Trained over 2,400 associates working in three high-risk areas (security, behavioral health, and emergency department) in de-escalation and physical skills;

- Implemented a new mandatory training module for all 36,000 associates on what efforts MedStar Health is undertaking to ensure the safety of associates and patients;
- Beginning in September 2019, de-escalation training for over 12,000 associates whose responsibilities place them in a position of dealing directly with patients, visitors, and other members of the community;
- Produced and distributed video to educate all associates on MedStar Health’s Active Shooter – Code Silver policy and procedures; and
- Provided personal wearable safety alarms.

While MedStar Health’s comprehensive Workplace Violence Prevention Program has made strides in ensuring its associates are safe, making assault of emergency department personnel a second-degree felony would serve as a strong deterrent to this behavior and protect our essential workers.

For these reasons we urge a **favorable** report on HB 1110.