

To: Members of the Michigan House Judiciary Committee
From: Adam Carlson, senior director, Advocacy
Date: April 23, 2019
Re: Testimony in support of HBs 4327 and 4328

Thank you to the House Judiciary Committee for your willingness to consider House Bills 4327 and 4328, which make it a felony to assault a healthcare professional or medical volunteer when performing their duties within the scope of their employment at a hospital, health system or other healthcare facility.

According to Bureau of Labor Statistics data, workers in the healthcare sector experience violence-related injuries in the workplace at a rate more than four times the rate of the private sector. In a study by the Emergency Nurses Association, 54% of nurses had experienced physical or verbal abuse in the past two weeks.

Healthcare employees and volunteers entered these professions with the primary purpose of helping others, but increasingly, violence is becoming an unfortunate and unavoidable part of providing healthcare. These violent events and their lingering effects have detrimental impacts on healthcare professionals and on the ability of Michigan hospitals to properly staff clinical units, especially in rural areas where healthcare professionals are in high demand.

It's currently a felony to assault police officers, firefighters, paramedics and other first responders. Previous legislatures have recognized that these professions are inherently dangerous, and folks on duty in those fields have an obligation to run toward danger, not away from it. Healthcare workers are no different. The federal Emergency Medical Treatment and Active Labor Act (EMTALA) requires that hospitals treat all those who walk through their doors. If an individual poses a threat to themselves or others, treatment can be delayed under EMTALA, but not denied. We need to do more to protect our healthcare workers.

Hospitals across Michigan are already taking active steps to reduce incidents of violence in the workplace. We have worked with consultants and other professionals on de-escalation techniques, enhanced hospital security, and unfortunately, hand-to-hand violence aversion trainings. This legislation is a vital part of those efforts and would provide additional protections to our healthcare workers and volunteers.

Like any law passed by the Legislature, we understand that it will take time and education before the effects of enhanced penalties for healthcare workers are known and understood by the public. Michigan's hospitals hope to take an active role in that effort.

In passing this legislation, Michigan could join the 32 other states that currently make it a felony to assault healthcare worker or emergency medical personnel.

Brian Peters, *Chief Executive Officer*