

Friday, January 29, 2010, 9:30a.m., Conference Room 329

To: House Committee on Health
Rep. Ryan I. Yamane, Chair
Rep. Scott Y. Nishimoto, Vice Chair

From: Hawaii Medical Association
Gary A. Okamoto, MD, Legislative Co-Chair
Linda Rasmussen, MD, Legislative Co-Chair
April Donahue, Executive Director
Lauren Zirbel, Government Affairs
Dick Botti, Government Affairs

Re: HB2349 RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL

In Support

Chairs & Committee Members:

Hawaii Medical Association supports HB2349 Relating to Violence Against Health Care Personnel.

By clarifying that the classification "emergency medical service providers" includes physicians, physician's assistants, nurses, and nurse practitioners in a hospital emergency room, this measure acknowledges the value of protecting these health care providers from assault and terroristic threatening.

The personnel in our hospital emergency rooms care for the people of Hawaii who are often the most vulnerable, and it is vital that they be allowed to provide this care free from harm.

Thank you for the opportunity to testify.

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HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA
Executive Director
Tel: 808.543.0011
Fax: 808.528.0922

NORA A. NOMURA
Deputy Executive Director
Tel: 808.543.0003
Fax: 808.528.0922

DEREK M. MIZUNO
Deputy Executive Director
Tel: 808.543.0055
Fax: 808.523.6879

The Twenty-Fifth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Health

Testimony by
Hawaii Government Employees Association
January 29, 2010

H.B. 2349 – RELATING TO
VIOLENCE AGAINST HEALTH
CARE PERSONNEL

The Hawaii Government Employees Association, AFSCME Local 125, AFL-CIO supports the purpose and intent of H.B. 2349 – Relating to Violence Against Health Care Personnel. This extends protection from assault and terroristic threatening to emergency room personnel.

The intent of H.B. 2349 is to amend Section 707-711, Hawaii Revised Statutes, to include emergency room personnel such as a physician, physician's assistant, nurse or nurse practitioner, who provides medical services in the emergency room of a hospital. Ensuring the safety and well-being of health care providers in the course of the performance of their duties are a necessity in order for them to provide effective and emergent care to the people of Hawaii. Individuals who intentionally or knowingly commit harm to health care providers should be held accountable for their violent behaviors.

We appreciate the opportunity to submit our testimony in support of H.B. 2349.

Respectfully Submitted,

Nora A. Nomura
Deputy Executive Director



THE QUEEN'S MEDICAL CENTER

1301 Punchbowl Street • Honolulu, Hawaii 96813 • Phone (808) 538-9011 • FAX: (808) 547-4646 • www.queens.org

Representative Ryan Yamane, Chair
House Committee on Health

Friday, January 29, 2010; 9:30 AM
State Capitol, Conference Room 329

Re: HB 2349 – RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL

Chair Yamane, Vice Chair Nishimoto, and Members of the Committee:

My name is Cindy Kamikawa, Chief Nurse Executive for The Queen's Medical Center (Queen's), **testifying in strong support of HB 2349** which extends protection from assault and terroristic threatening to emergency room personnel.

The prevention of workplace violence has emerged as an important safety issue in hospitals. According to the Emergency Nurses Association and the American College for Emergency Physicians, occurrences in healthcare violence are on the rise, and hospital emergency rooms have become the most prevalent location for violence in a health care setting. Nationally, thousands of non-fatal assaults on hospital workers have occurred. Studies have shown that between 35% and 80% of hospital staff has been physically assaulted at least once and that nurses are at increased risk for violence while on duty.

The Legislature has extended protections similar to those sought in this measure to correctional, educational, and other service providers. Emergency room personnel are routinely exposed to unstable patients with drug or alcohol impairment, or suffering from psychiatric disorders. Verbal and physical threats to health care personnel extend into the waiting areas as well. The Queen's Medical Center Emergency Department is the largest and busiest Emergency Department in the State, with approximately 50,000 visits a year. This additional protection will ensure a safer environment for health care personnel and patients.

We urge you to pass this measure and thank you for the opportunity to testify.



HOUSE COMMITTEE ON HEALTH
Rep. Ryan Yamane, Chair

Conference Room 329
Jan. 29, 2010 at 9:30 a.m.

Supporting HB 2349.

The Healthcare Association of Hawaii advocates for its member organizations that span the entire spectrum of health care, including all acute care hospitals, as well as long term care facilities, home care agencies, and hospices. Thank you for this opportunity to testify in support of HB 2349, which expands the category of emergency medical services workers who are protected by the law that increases penalties for terroristic threatening or violence against them.

Health care workers in general face a high level risk of work-related assaults and threats stemming from several factors. For example, handguns and other weapons are now more prevalent among patients, their families, and friends. Drugs and money at hospitals make them likely robbery targets. An increasing number of acute and chronically mentally ill patients are now being released from hospitals without follow-up care because they have the right to refuse medicine and can no longer be hospitalized involuntarily unless they pose an immediate threat to themselves or others. Finally, potentially long waits in emergency or clinic areas may lead to patient frustration over an inability to obtain services promptly.

In our society, people who are employed in certain types of jobs, such as police and firefighters, are given special protections because they serve a public need and because they face a high level of risk in the line of duty. There is increasing recognition that, for the same reasons, health care workers should be given similar protections. Relative to all other types of health care workers, emergency medical services personnel face an even higher level of risk for violence.

In 2007 the Legislature recognized the heightened level of risk faced by emergency medical services personnel by passing Act 79, which increased penalties for terroristic threatening or violence against mobile intensive care technicians and emergency medical technicians. HB 2349 expands the types of health care workers who are covered, to include physicians, physician's assistants, nurses, and nurse practitioners who provide emergency care.

For the foregoing reasons, the Healthcare Association supports HB 2349.

Testimony of
John M. Kirimitsu
Legal and Government Relations Consultant

Before:
Senate Committee on Health
The Honorable Ryan I. Yamane, Chair
The Honorable Scott Y. Nishimoto, Vice Chair

January 29, 2010
9:30 am
Conference Room 329

Re: HB 2349 Relating to Violence Against Health Care Personnel

Chair Yamane and committee members, thank you for this opportunity to provide testimony on this bill regarding violence against health care personnel.

Kaiser Permanente supports this bill.

Violence against healthcare personnel seems to be on the increase. According to the U.S. Department of Labor, Bureau of Statistics, healthcare workers experience violent assaults at a rate four times higher than average, and it is even worse for emergency personnel at a rate of more than twelve times the national average. U.S. Department of Labor, Bureau of Statistics. (n.d.). Injuries, illness and fatalities. (Accessed February 2008).

The emergency department by its very nature is a place of high stress for the patient and the emergency medical staff. Emergency department workers routinely find themselves at increased risk of violence due to the emergency patient population, with an increasing number of patients and visitors using drugs and alcohol, or having psychiatric disorders or dementia, that make them more prone to violence. The type of violence, constituting both verbal and physical attacks, is becoming all too common, which is negatively impacting the emergency medical personnel through their mistaken belief that this type of violence is just part of their job.

To help deter these violent and abusive acts against emergency medical personnel, legislation is needed that provides strong legal consequences for causing these injuries. Emergency medical personnel need to know that their safety in the workplace will be fully protected and that their potential attackers will be held criminally accountable for their actions. It is important for the state to establish that violent or abusive acts against these emergency medical personnel will have severe consequences by removing much needed emergency medical personnel from the workforce, and severely affecting the quality of patient care.

Thank you for your consideration.

711 Kapiolani Boulevard
Honolulu, Hawaii 96813
Office: (808) 432-5224
Cell: (808) 282-6642
Facsimile: (808) 432-5906
Email: john.m.kirimitsu@kp.org