

HB1926

HD1,SD1



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The Twenty-Sixth Legislature, State of Hawaii
The Senate
Committee on Judiciary and Labor

Testimony by
Hawaii Government Employees Association
March 27, 2012

H.B. 1926, H.D. 1, S.D. 1 – Relating to
Assault on Medical Services Providers

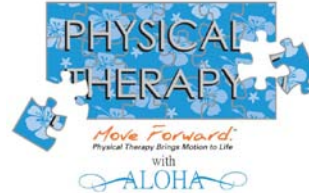
The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of H.B. 1926, H.D. 1, S.D. 1, which amends Section 707-711, HRS by adding certain medical providers to the offense of assault in the second degree if a person intentionally or knowingly causes bodily injury to them. Among the medical providers added by the legislation are physical therapists. This is a profession in state government represented by the HGEA.

H.B. 1926, H.D. 1, S.D. 1 also applies to “other medical services staff” who work in hospitals and a variety of other settings. We believe that physical therapists and other medical services personnel deserve statutory sanctions to be imposed if they are assaulted while working in a hospital, long-term care facility, medical clinic or a doctor’s office. These protections are already afforded to physicians, nurses, nurse practitioners and certified nurse anesthetists.

Thank you for the opportunity to testify in support of H.B. 1926, H.D. 1, S.D. 1.

Respectfully submitted,

Leiomalama E. Desha
Deputy Executive Director



Senate Judiciary and Labor Committee
Tuesday, March 27, 2012
10:30 a.m.
Room 016

RE: HB 1926, HD1 SD1 RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS

Good morning, Chair Hee, Vice- Chair Shimabukuro and members of the Committee. On behalf of the Hawaii Chapter, American Physical Therapy Association ("HAPTA"), we are in support of HB 1926 HD1 SD1, relating to assaults again medical services providers.

This measure would expand the offense of assault in the second degree to include harm to any medical services providers engaged in the performance of duty, rather than limit it to just emergency medical services providers. We believe that the measure is an important step toward protecting the professionals who are delivering much needed care and services in the community.

We respectfully request that physical therapists and physical therapist assistants be added to the definition of medical services provider in section 1(f) of the bill.

HAPTA is a non-profit professional organization serving more than 200 member Physical Therapists and Physical Therapist Assistants. Our mission is to be the principal membership organization that represents and promotes the profession of Physical Therapy in the State of Hawaii.

Mahalo,

Ann Frost, P.T.
Legislative Committee Chair

c/o 841 Bishop Street, Suite 2100, Honolulu, Hawaii 96813



SENATE COMMITTEE ON JUDICIARY AND LABOR
Senator Clayton Hee, Chair

Conference Room 016
March 27, 2012 at 10:30 a.m.

Supporting HB 1926 HD 1 SD 1

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. In addition to providing quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 40,000 people. Thank you for this opportunity to support HB 1926 HD 1 SD 1, which extends the enhanced penalties for violence against certain emergency medical services staff to medical staff in other settings.

Health care workers have faced a significant risk of job-related violence for many years. Injury rates reveal the increased risk. The Bureau of Labor Statistics measures the number of assaults resulting in injury per 10,000 full-time workers in different categories. The overall private sector incidence rate is 2. The rate for health service workers overall is 9.3. The rate for nursing and personal care workers is 25.

Hawaii statute recognizes that certain groups deserve increased legal protection, such as educational workers, correctional workers, firefighters, and workers at State mental health facilities. Conduct classified as Assault in the Third Degree for others is classified as Assault in the Second Degree for these groups. Emergency medical service personnel in hospitals are also currently given increased protection. This bill is intended to extend the added protection to medical services staff in various other medical settings.

For the foregoing reasons, the Healthcare Association of Hawaii supports HB 1926 HD 1 SD 1.



AONE

American Organization of Nurse Executives, Hawai'i Chapter

March 27, 2012 10:30 a.m.
Conference Room 016

RE: Testimony in SUPPORT OF HB 1926 HD1 SD1, Relating to Assault Against Medical Services Providers

Chair Hee, Vice Chair Shimabukuro and members of the Committee. On behalf of the Hawai'i Chapter, American Organization of Nurse Executives ("AONE"), thank you for the opportunity to submit testimony in strong **support** of HB 1926 HD1 SD1, relating to assault against medical services providers.

This measure would extend the offense of assault in the second degree to include harm upon medical professionals. The bill expands protections to professionals from several medical fields engaged in the performance of duty within various medical facilities, rather than limiting protections to emergency medical services providers only. We believe the measure is an important step toward enhancing protections for professionals who deliver much needed care and services to the community.

On January 30, 2012, the New York Times reported that the [2011 Health and Safety Survey](#) conducted by the American Nurses Association found 34 up from 25 percent in 2001; of registered nurses ("R.N.") rank "on-the-job assault" as one of their three greatest safety concerns. More than half of all R.N.'s report they were verbally threatened at work.

The [National Institute for Occupational Safety and Health](#) ("NIOSH") reports that from 2003 to 2009, eight R.N. nurses were killed at private healthcare facilities by gunshot wounds or fatal injuries. In 2009, 2,050 incidents involving harassment or violent assault were reported by clinical nurses who took an average of 4 days away from work to recover.

During the recent holiday season, a patient attacked a nurse at Queen's Medical Center. These attacks have ramifications for our community. A recent study of nurses nationwide sponsored by the National Institute of Health, revealed that one in three nurses over 45 plans to quit their jobs when the recession ends because of attacks in the medical workplace. Others believe they must just expect violence as part of their job.

Medical providers abide by the Hippocratic Oath to help those in need of medical attention, thus they deserve a high level of legal protection for their service.

AONE Hawai'i is a non-profit professional organization serving more than 100 member Nurse Executives throughout Hawai'i and is an affiliate of AONE National, which has over 7,000 members nationwide. Our mission is to be the principle membership organization that represents and promotes the profession of Nurse Executives in the State of Hawai'i.

Thank you for the opportunity to testify. If we can assist with more information please contact us at (808) 447-1840 or aonehawaii@gmail.com.

Sincerely,

Suzanne Filleul
President AONE Hawai'i