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**Friday – February 10, 2012 – 2:45pm**  
**Conference Room 229**

**The Senate Committee on Health**

To: Senator Josh Green, M.D. Chair  
Senator Clarence K. Nishihara, Vice Chair

From: Brigitte McKale  
Chief Nurse Executive

Re: **SB 2100 RELATING TO ASSAULTS MEDICAL SERVICES - Testimony in Strong Support**

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My name is Brigitte McKale, Chief Nurse Executive for Pali Momi Medical Center. Pali Momi Medical Center is a nonprofit hospital located in West O'ahu. It is dedicated to the health and well-being of all Hawai'i residents. With 116 beds and more than 370 physicians on its medical staff, Pali Momi offers a full range of services. It has delivered many medical firsts for the community, including West O'ahu's only interventional cardiac catheterization unit to detect and treat heart disease, a fully integrated minimally invasive surgical suite, CT scan and MRI services, emergency services, a Women's Center, and the state's first Retina Center. Pali Momi is the only medical facility in Hawai'i that utilizes a team triage approach in its Emergency Room, where patients are promptly evaluated by an emergency physician. The American Heart Association has recognized the hospital for excellence in the treatment of coronary artery disease and heart failure, one of only a few hospitals in the nation. Pali Momi was founded in 1989 and is an affiliate of Hawai'i Pacific Health, the state's largest health care provider.

I appreciate the opportunity to submit testimony supporting SB 2100 which increases penalties for violence against medical service workers. This bill provides the same protection to any medical service provider as current emergency medical service providers receive while performing their duties.

All health care workers today face a significant increase in the number of job related violent incidents while on duty compared to other workers. Statistics show that there has been an increase in the number of nurses that have experienced assaults, and this is of great concern. At Pali Momi, our staff has been experiencing an increase in encounters with violent patients. Passage of this bill will help to deter assaults and provide a safer environment for all medical service workers. Therefore, we are in support of SB 2100.

Thank you for your time. We ask that you pass this measure.



American Organization of Nurse Executives, Hawai'i Chapter

February 10, 2012  
1:30 p.m. Room 229

**RE: Testimony in SUPPORT OF SB 2100, Relating to Assault on Medical Services Providers**

Good morning, Chair Green, Vice- Chair Nishihara and members of the Committee. On behalf of the Hawaii Chapter, American Organization of Nurse Executives ("AONE"), thank you for the opportunity to submit testimony in **support** of SB 2100, relating to assaults again medical services providers.

This measure would expand the offense of assault in the second degree to include harm committed by those who "intentionally or knowingly" harm medical services providers engaged in the performance of duty, rather than provide heightened protections only to 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.

According to the National Institute of Occupational Safety and Health, more than 9,000 nurses and healthcare workers are injured or verbally or physically attacked each day on the job. In a recent seven-state study carried out by a Task Force on Workplace Violence, over 30 percent of registered nurses surveyed said they had been assaulted on the job, mostly by patients. This study included nurses in Hawaii who reported suffering attacks with everything from scissors, chairs, urinals, knives and guns.

Incidents of assault are likely more frequent because many attacks go unreported due to concerns about costs related to insurance, worker's compensation, and hospital public relations.

R.N.s experience the highest rate of attacks in the medical setting. A four-year National Bureau of Justice Statistics study showed that between 2002 and 2010, 69,500 nurses were assaulted, compared with 10,000 physicians. The Bureau also expressed concern that legal penalties in many states are not severe enough to deter attacks against nurses.

During the recent holiday season, a patient attacked a nurse at Queen's Medical Center. These attacks have ramifications for our community. A recent nationwide study of nurses sponsored by the National Institutes of Health revealed that one in three nurses over 45 plan 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 Hawaii is a non-profit professional organization serving more than 100 member Nurse Executives throughout Hawaii 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 Hawaii.

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](mailto:aonehawaii@gmail.com).

Sincerely,

A handwritten signature in cursive script, appearing to read "Suzanne Filleul", is written over a horizontal line.

Suzanne Filleul  
President AONE Hawaii



## THE QUEEN'S HEALTH SYSTEMS

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Senator Josh Green, Chair  
Senator Clarence K. Nishihara, Vice-Chair  
**SENATE COMMITTEE ON HEALTH**

February 10, 2012 – 1:30 p.m.  
State Capitol, Conference Room 229

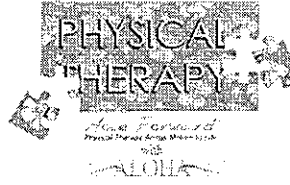
**Regarding S.B. 2100, Relating to Assault on Medical Services Providers**

Chair Green, Vice Chair Nishihara, and Members of the Committee,

My name is Cindy Kamikawa, Vice President, Nursing, Trauma, ED and Chief Nursing Officer of The Queen's Medical Center (QMC), testifying in **strong support** for S.B. 2100, which provides critical protections for medical providers from unnecessary violence in the workplace.

Health care workers have faced increase risks of job-related violence in recent years. This measure could be further strengthened with the inclusion of unlicensed professionals, such as health care assistants and employees in any health care setting, such as a physician's office or a long term care facility.

Thank you for the opportunity to provide testimony in support of this measure.



**Senate Health Committee  
Friday, February 10, 2012  
2:45 p.m.  
Room 229**

**RE: SB 2100, RELATING TO ASSAULT ON MEDICAL SERVICES PROVIDERS**

Good morning, Chair Green, Vice-Chair Nishihara and members of the Committee. On behalf of the Hawaii Chapter, American Physical Therapy Association ("HAPTA"), we are in **support** of SB 2100, relating to assault on 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.

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 HEALTH  
Senator Josh Green, M.D., Chair

Conference Room 229  
February 10, 2012 at 1:30 p.m.

**Supporting SB 2100 with an amendment**

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 testify in support of SB 2100, which extends the enhanced penalties for violence against emergency medical services staff to medical services staff in hospitals, medical clinics, and federally qualified health centers.

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 extends the added protection to medical services staff in hospitals, medical clinics, and federally qualified health centers.

The bill should be amended to extend the added protection to medical services staff of long term care facilities, home health agencies, home care agencies, hospices, physician offices, and dentist offices.

With this amendment, the Healthcare Association supports SB 2100.