

Wednesday, March 19, 2014 – 8:30 am
Conference Room 329

The House Committee on Health

To: Representative Della Au Belatti, Chair
Representative Dee Morikawa, Vice Chair

From: Art Gladstone RN MBA
Chief Nurse Executive – Hawai'i Pacific Health
Chief Operating Office – Straub Clinic & Hospital

**Re: SB 2032 SD2 Relating To Violence Against Health Care Personnel
Testimony in Support**

My name is Art Gladstone, Chief Nurse Executive at Hawai'i Pacific Health (HPH) and I am also the Chief Operating Officer at Straub Clinic & Hospital. Hawai'i Pacific Health is a not-for-profit health care system, and the state's largest health care provider and non-government employer. It is committed to providing the highest quality medical care and service to the people of Hawai'i and the Pacific Region through its four hospitals, more than 50 outpatient clinics and service sites, and over 1,600 affiliated physicians. Hawai'i Pacific Health's hospitals are Kapi'olani Medical Center for Women & Children, Pali Momi Medical Center, Straub Clinic & Hospital and Wilcox Memorial Hospital.

I write in support of SB 2032, SD2 which expands the definition of medical services provider to include other health care providers who are involved in the direct care of patients. 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 our hospitals, 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 2032.

Thank you for the opportunity to provide this testimony. We ask that you pass this measure.



Wednesday – March 19, 2014 – 8:30am
Conference Room 329

The House Committee on Health

To: Representative Della Au Belatti, Chair
Representative Dee Morikawa, Vice Chair

From: George Greene
President & CEO
Healthcare Association of Hawaii

Re: **Testimony in Support**
SB 2032, SD 2 — Relating to Violence Against Healthcare Personnel

The Healthcare Association of Hawaii (HAH) is a 116-member organization that includes all of the acute care hospitals in Hawaii, the majority of long term care facilities, all the Medicare-certified home health agencies, all hospice programs, as well as other healthcare organizations including durable medical equipment, air and ground ambulance, blood bank and respiratory therapy. In addition to providing quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing nearly 20,000 people statewide.

Thank you for the opportunity to testify in support of SB 2032, SD 2, which increases penalties for violence against healthcare workers in hospitals, community health centers, and clinics. Healthcare workers are more than four times more likely to be victims of workplace violence than other private sector workers, and account for approximately 60% of all nonfatal workplace assaults occurring in private employment settings. (Bureau of Labor Statistics, Census of Fatal Occupational Injuries, 2007.)

SB 2032, SD 2 would make assaults against healthcare workers in hospitals, federally qualified health centers, and medical clinics—currently a misdemeanor—a felony with increased penalties. The legal protections currently afforded to healthcare workers in emergency departments should be extended to workers in hospitals, federally qualified health centers, and medical clinics, given the increased risk of serious assaults occurring in these healthcare settings.

Thank you for the opportunity to testify in support of SB 2032, SD 2.

Legislative Committee

Wailua Brandman, Chair
Amy Vasconcellos, Vice Chair
Beverly Laurongaboy Inocencio
Mandy Ki'aha
Sondra Leiggi
Danielle Naahielua
Moani Vertido
Cynthia Cadwell, Ex-Officio



HAWAII ASSOCIATION of
PROFESSIONAL NURSES

Written Testimony Presented Before the
House Committee on Health
March 19, 2014 8:30 am

SB 2032 SD2 RELATING TO VIOLENCE AGAINST HEALTHCARE
PERSONNEL

Chair Belatti, Vice Chair Morikawa, and members of the House Committee on Health, thank you for this opportunity to provide testimony in **STRONG SUPPORT** of this bill, SB 2032 SD2, **WITH AMENDMENTS**.

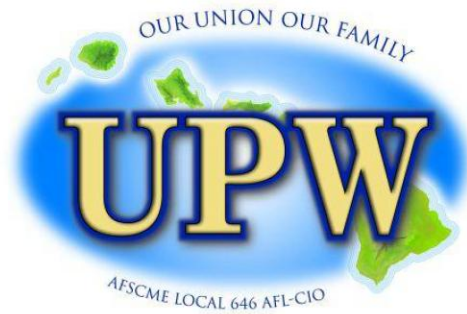
As mentioned previously in countless testimonies, the Bureau of Statistics (U.S. Department of Labor) has reported that healthcare workers experience violent assaults at a rate four times the national average. As a registered nurse, I can personally attest to the fact that being assaulted by a patient while providing direct care is a very real job concern. Healthcare professionals make countless sacrifices for their patients on a daily basis; they deserve to feel safe and have appropriate legal protection while serving the public in their respective roles.

The legislation currently in place only offers protections to a limited number of health care personnel. While this is certainly needed, it simply does not do enough to protect the vast majority of healthcare personnel who face the threat of physical harm from the patients they are obligated to serve.

HAPN strongly supports the passage of SB 2032 SD2 and respectfully requests that the following amendments be added to the bill. First, while nurse practitioners and certified registered nurse anesthetists are included in the language of this bill, certified nurse midwives and clinical nurse specialists are not. They are indeed licensed the same, in Hawaii, as Advance Practice Registered Nurses (APRNs). May I suggest the language, "... nurse practitioners, certified registered nurse anesthetists . . ." be deleted and "APRNs" or "Advance Practice Registered Nurses" be inserted in the same place. We also ask that the effective date of the legislation, if enacted, be changed to a more immediate time frame, such as within the 2014 calendar year.

Thank you again for the opportunity to testify.

Amy Vasconcellos, Vice Chair
Legislative Committee
Hawaii Association of Professional Nurses



THE HAWAII STATE HOUSE OF REPRESENTATIVES
The Twenty-Seventh Legislature
Regular Session of 2014

COMMITTEE ON HEALTH

The Honorable Rep. Della Au Belatti, Chair
The Honorable Rep. Dee Morikawa, Vice Chair

DATE OF HEARING: Wednesday, March 19, 2014
TIME OF HEARING: 8:30 AM
PLACE OF HEARING: Conference Room 329

**TESTIMONY ON SB2032 SD2 RELATING TO VIOLENCE AGAINST HEALTH CARE
PERSONNEL**

By DAYTON M. NAKANELUA,
State Director of the United Public Workers,
AFSCME Local 646, AFL-CIO ("UPW")

My name is Dayton M. Nakanelua and I am the State Director of the United Public Workers, AFSCME, Local 646, AFL-CIO (UPW). The UPW is the exclusive representative for approximately 14,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents about 1,500 members of the private sector.

The UPW strongly supports SB2032 SD2, which adds intentionally or knowingly causing bodily injury to medical services providers to assault in the second-degree offense. Expands the medical services providers to which the offense would apply.

We ask that the committee pass this bill.

Thank you for the opportunity to testify on this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

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

LATE

Testimony by
Hawaii Government Employees Association
March 19, 2014

S.B. 2032 SD 2– RELATING TO VIOLENCE
AGAINST HEALTH CARE PERSONNEL

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the intent of S.B. 2032 SD 2, which amends Hawaii Revised Statute 707-711, Section 1. (f) The person intentionally or knowingly causes bodily injury to any medical services provider who is engaged in the performance of duty. For the purposes of this paragraph, “medical services provider” means emergency medical services personnel, as defined in section 321-222, and physicians, physician assistants, nurses, nurse practitioners, certified registered nurse anesthetists, respiratory therapists, laboratory technicians, radiology technicians, and social workers, providing services in a hospital, medical clinic, or federally qualified health center.

Violent behavior has been increasing over the years, whether through the increase of abuse of narcotic drugs and/or prescriptive medications or because of psychological issues. Expanding the definition of medical services provider as well as other settings in which a medical services provider works, provides legal recourse should any assault occur.

Thank you for the opportunity to testify in support of S.B. 2032 SD 2.

Respectfully submitted,

Randy Perreira
Executive Director



HPCA

HAWAII PRIMARY CARE ASSOCIATION

LATE

House Committee on Health

The Hon. Della Au Belatti, Chair

The Hon. Dee Morikawa, Vice Chair

Testimony in Strong Support of Senate Bill 2032, SD2

Relating to Violence Against Health Care Personnel

Submitted by Robert Hirokawa, Chief Executive Officer

March 19, 2014, 8:30 am, Room 329

The Hawaii Primary Care Association (HPCA), which represents the federally qualified community health centers in Hawaii, supports Senate Bill 2032, SD2, increasing the penalties for causing bodily injury to medical service providers and expanding the medical service providers to which the offense would apply.

The HPCA strongly supports this measure and thanks you for the opportunity to testify.

Testimony of
John M. Kirimitsu
Legal and Government Relations Consultant

Before:
House Committee on Health
The Honorable Della Au Belatti, Chair
The Honorable Dee Morikawa, Vice Chair

March 19, 2014
8:30 am
Conference Room 329



LATE

Re: SB 2032, SD2, Relating to Violence Against Health Care Personnel

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

Kaiser Permanente Hawaii supports this bill, as amended.

Violence against healthcare personnel appears to be on the rise. According to a U.S. Department of Labor, Bureau of Statistics, healthcare workers experience violent assaults at a rate four times higher than the national average. This type of violence, ranging from verbal to violent physical attacks, is becoming all too common, which negatively impacts medical personnel by reinforcing a common misconception that this type of violence is just part of the job.

Kaiser Permanente supports this version of the bill, as amended to also include “unlicensed medical professionals and other medical staff involved in the direct care of patients” within the scope of protection, since these unlicensed professionals are also on the front lines providing necessary medical care and therefore susceptible to the same workplace violence.

Thank you for your consideration.



S.B. 2032, S.D. 2
Relating to Violence Against Health Care Personnel
House Committee on Health
March 19, 2014; 8:30 a.m.

My name is Cindy Kamikawa, Vice President, Nursing, Trauma, ED and Chief Nursing Officer of The Queen's Medical Center (QMC), testifying in **support** of SB 2032, SD2 which provides critical protections for all medical providers from unnecessary violence in the workplace.

Health care workers have faced increase risks of job-related violence in recent years. At Queens, our staff too often find themselves blocking a kick or a bite. QMC's ER receives the highest numbers across Oahu of transports from law enforcement for emergency examination and hospitalization. Many of these patients are drunk or high. Not only are they more likely to be belligerent and aggressive, it is also extremely challenging to determine if they also suffer a mental illness. While in the ER, many of these patients are found to have medical conditions that necessitate their hospitalization, and are admitted as a patient. Based on need and bed space, some patients are cared for on our general medical floors. Hospitals, like Queens, have needed to respond by adding more staff, to ensure the safety of its staff, other patients, visitors, and the patient. This further drives hospital costs and erodes security.

Serious attacks on hospital caregivers are a reality of healthcare. This measure allows police to charge attackers with felony assault on all health care workers, not just our emergency department staff. This is appropriate because today, all hospital staff are subject to conditions that necessitate these legal protections. This measure is a means to deter violence and to better ensure the safety of hospital staff and patients.

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



LATE

Written Testimony Presented Before the
House Committee on Health
March 19 , 2014 2 p .m.
Conf. Rm. 329
by

Kathy Yokouchi, Policy Analyst
Hawaii State Center for Nursing
University of Hawai'i at Manoa

SB 2023,SD2 RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL

Chair Belatti, Vice Chair Morikawa, and members of the House Committee on Health, thank you for this opportunity to provide testimony in strong support of this bill, SB 2023,SD2.

This measure would elevate what is now a misdemeanor offense of Assault in the Third Degree to a class "C" felony if the offense is committed against a health care provider.

Further, it amends current language which limits its application only to emergency medical services providers and broadens it to apply to medical services providers. SB 2023 will help to discipline those who intentionally or knowingly cause bodily injury to all health care providers in Hawai'i.

Therefore, the Hawaii State Center for Nursing requests passage of this measure. Thank you for the opportunity to testify.

morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 17, 2014 1:45 PM
To: HLTtestimony
Cc: csmorimoto@aol.com
Subject: Submitted testimony for SB2032 on Mar 19, 2014 08:30AM

SB2032

Submitted on: 3/17/2014

Testimony for HLT on Mar 19, 2014 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Curt S. Morimoto	Individual	Support	No

Comments: This coverage is needed!!

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morikawa2-Joanna

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Sent: Tuesday, March 18, 2014 4:59 AM
To: HLTtestimony
Cc: lenora@hawaii.edu
Subject: Submitted testimony for SB2032 on Mar 19, 2014 08:30AM

SB2032

Submitted on: 3/18/2014

Testimony for HLT on Mar 19, 2014 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Lenora Lorenzo	Individual	Support	No

Comments: I support this measure. Please be sure amendments include APRN's. Mahalo

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LATE**SB2032**

Submitted on: 3/19/2014

Testimony for HLT on Mar 19, 2014 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Arvid Tadao Youngquist	1,978 "Conventional People"	Support	Yes

Comments: Chair, House HLT Committee Vice Chair, House HLT Committee Right Honorable House HLT Committee Members We support the original and the two amendments that followed this measure from the Senate. However, there is nowhere in the languages of the measure, nor in the reports that mention the patients, our clients of the facilities. Also, such a criminal offense is to be described and encoded, a similar offense committed against patients should also be incorporated. Who, if not you and the subsequent Comittess to which this measure is referred? Therefore, we ask as a minimum, that the patients be mentioned in the Committee Report language as a matter of of course. "What is good for the goose is good for the gander." Finally, we wish to thank the many of the supports and the co-sponsors of this overdue measure that take into account the safety of our first line of mental health care provideers (UPW 24-7-death watch personnel, etc., the HGEA, the contract workers, etc.). Mahalo nui loa for holding this yet another very important and critical hearing on an issue very near and dear to my heart...as I remember that 70 patients and staff who came to my Brother Harold's memorial service at the State Hospital some 7 years ago. Sincerely, Arvid Tadao Youngquist Former Board Member, USH, Inc. (Personnel Committee and Board Secretary for 3 years) Former Board Member, West Honolulu-Health Planing Council Former Board Member, Austin/Travis County, MH/MR Center (Personnel Committee) Study Group, Appointee by Chief, Adult Mental Health Division Board Member, Hawaii Family & Friends of Schizophrenics Member, Austin, NAMI, etc.

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morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 18, 2014 9:13 PM
To: HLTtestimony
Cc: paulakomarajr@yahoo.com
Subject: *Submitted testimony for SB2032 on Mar 19, 2014 08:30AM*



SB2032

Submitted on: 3/18/2014

Testimony for HLT on Mar 19, 2014 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Paul A. komara, Jr.	Individual	Support	No

Comments:

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LATE**SB2032**

Submitted on: 3/18/2014

Testimony for HLT on Mar 19, 2014 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Wailua Brandman	Individual	Support	No

Comments: Aloha Chair Belatti Vice Char and members of the House Committee on Health, Mahalo for this opportunity to testify, late, on SB2032. I am in strong support of increasing penalties to ANYONE who assaults a health care provider, no matter WHERE it occurs. I support this bill hoping that it will be amended to cover ANY ASSAULT AGAINST A HEALTH CARE PROVIDER REGARDLESS OF WHERE IT OCCURS. In the present form, this bill only covers certain locations, e.g., a nationally qualified health center or a state facility. This form does not cover assaults committed in a private provider's office or a privately owned clinic, like an urgent care center. Why should assault at these places be viewed any differently than one in a state facility? Makes no sense to me. I would also point out that nurse practitioners and CRNAs are licensed as APRN. That licensure covers two other types of advance practice registered nurses, Certified Nurse Midwives (CNM) and Clinical Nurse Specialists (CNS) who are omitted in the current form of this bill. This form is discriminatory against CNMs and CNSs, and I recommend that the language change to simply "APRNs" or the words "Advance Practice Registered Nurses" and leave out the words "nurse practitioners, certified registered nurse anesthetists." I have been assaulted at least twice in my career as a nurse. It is especially a poignant experience when one is providing a caring service and has to experience the deep trauma of an assault. I urge you to amend this bill as indicated above to cover ALL health care providers WHEREVER they are practicing their caring service. Mahalo for all you do for the health and safety of the wonderful people of this great state. Warmest Aloha, Wailua Brandman APRN FAANP Ke`ena Mauiola Nele Paia Clinical Director/ Owner

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