

Testimony of
John M. Kirimitsu
Legal and Government Relations Consultant

Before:
House Committee on Health
The Honorable Della Au Belatti, Chair
The Honorable Richard P. Creagan, Vice Chair

January 30, 2015
10:10 am
Conference Room 329

Re: HB 584 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 medical personnel.

Kaiser Permanente Hawaii supports this bill, but would like to offer an amendment.

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 bill to protect medical providers from unnecessary violence in the workplace, but asks that the scope of protection be expanded to include all medical service personnel treating patients, not only those within the emergency room. Clearly, the intent of the legislature, in deleting all general references to “emergency” restrictions within the measure, is to not limit its scope to only “emergency” services. Therefore, the restriction in paragraph (f) limiting its application to only “emergency room” locations is contradictory. Moreover, the emergency medical personnel are already included with the protected definition of “medical services provider,” as defined under § 321-222, therefore it is not necessary to afford them exclusive protection by limiting the bill’s application to only “emergency room” locations.

All medical service providers treating patients are on the front lines providing necessary medical care and therefore, vulnerable to the same workplace violence. Therefore, all medical service providers subjected to this same workplace violence should be equally protected, not only those at “emergency room” locations.

Thank you for your consideration.

711 Kapiolani Blvd
Honolulu, Hawaii 96813
Telephone: 808-432-5224
Facsimile: 808-432-5906
Mobile: 808-282-6642
E-mail: john.m.kirimitsu@kp.org



Friday, January 30, 2015
Conference Room #329

House Committee on Health

To: Rep. Della Au Belatti, Chair
Rep. Richard Creagan, MD, Vice Chair

From: George Greene
President & CEO
Healthcare Association of Hawaii

Re: **Testimony in Support (with proposed amendments)**
HB584 — Relating to Violence Against Health Care Personnel

The Healthcare Association of Hawaii (HAH) is a 160 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 HB584, which increases penalties for violence against healthcare workers in hospitals, federally qualified health centers and medical 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.) HB584 would make assaults against healthcare workers in hospitals, federally qualified health centers, and medical clinics—currently a misdemeanor—a felony with increased penalties.

Given the increased risk of serious bodily injury, the legal protections currently afforded to healthcare workers in emergency departments should be extended to workers in other healthcare settings. As such, we respectfully ask that the Committee amend subsection (f) to reflect this, while clarifying that increased penalties would not apply to patients within a healthcare setting, as follows (page 3, lines 5-8):

“...provided that this paragraph shall not apply to patients in such settings [a person who causes bodily injury to a medical services provider at any location other than an emergency room];

Thank you for the opportunity to testify in support of HB584.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 29, 2015 11:55 AM
To: HLTtestimony
Cc: pheckathorn@queens.org
Subject: Submitted testimony for HB584 on Jan 30, 2015 10:10AM
Attachments: 2015-01-30 - House HTH - Assault on Medical Providers - HB584.docx

Categories: Purple Category

HB584

Submitted on: 1/29/2015

Testimony for HLT on Jan 30, 2015 10:10AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Paige Heckathorn	The Queen's Health Systems	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



THE QUEEN'S HEALTH SYSTEMS

HB 584, Relating to Violence Against Health Care Personnel
House Committee on Health
January 30, 2015, 10:10 A.M.
Room 329

Dear Chairwoman Belatti and Members of the House Committee on Health:

My name is Paula Yoshioka, and I am a Senior Vice President at The Queen's Health Systems (QHS). I would like to express my support for HB 584, relating to violence against health care personnel. This legislation would build on existing protections for emergency medical workers by expanding the definition of assault to include *all* medical service providers and professionals whom a person intentionally or knowingly causes bodily injury to.

It is simply the reality that healthcare workers face risks of job-related injury as a result of violence. It is essential that our system of laws protects our front line worker and our patients from those who seek to do harm.

It is all too tragic that, just ten days ago, a cardiac surgeon at a hospital in Boston, Dr. Michael Davidson, was fatally attacked by the disgruntled son of one of his patients. While this does represent an extreme example of violence against medical personnel, it does serve as a reminder that we must do what we can to ensure that our provider community is protected. Your support of this bill will provide an effective deterrence to violence for *all* medical staff. That is why I ask you to vote favorably on HB 584.

Thank you for your time and consideration of this matter.

The mission of The Queen's Health Systems is to fulfill the intent of Queen Emma and King Kamehameha IV to provide in perpetuity quality health care services to improve the well-being of Native Hawaiians and all of the people of Hawai'i.

creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 29, 2015 1:18 PM
To: HLTtestimony
Cc: dstevens@hawaiiipca.net
Subject: Submitted testimony for HB584 on Jan 30, 2015 10:10AM
Attachments: HB584_ViolenceMedProv_HLT_1-3-15.pdf

HB584

Submitted on: 1/29/2015

Testimony for HLT on Jan 30, 2015 10:10AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Hirokawa	HPCA	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



HPCA

HAWAII PRIMARY CARE ASSOCIATION

House Committee on Health

The Hon. Della Au Belatti, Chair

The Hon. Richard P. Creagan, Vice Chair

Testimony in Support of House Bill 584
Relating to Violence Against Health Care Personnel
Submitted by Robert Hirokawa, Chief Executive Officer
January 30, 2015, 10:10 am, Room 329

The Hawaii Primary Care Association (HPCA), which represents the federally qualified community health centers in Hawaii, supports House Bill 584, calling for harsher penalties for individuals committing assault in the second degree on medical personnel.

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

creagan3 - Karina

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 29, 2015 1:58 AM
To: HLTtestimony
Cc: babyjean@hotmail.com
Subject: Submitted testimony for HB584 on Jan 30, 2015 10:10AM

HB584

Submitted on: 1/29/2015

Testimony for HLT on Jan 30, 2015 10:10AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ronnie Perry	Individual	Oppose	No

Comments: I strongly OPPOSE this bill. Many people who are mentally ill or have a temporary episode of a mental illness may become violent due to the nature of the disease. Those treating people with this disease should know about this and act accordingly. Many times it is not intentional violence, and the person does not realize what they are doing; many do not remember doing it. It would be wrong to levy criminal charges against ill people. People who work in this field need to accept this risk as part of the job, because it is. Prevention of assault needs to be the area that needs to be strengthened. Please vote against this bill. Mahalo, Ronnie Perry

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

creagan3 - Karina

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 28, 2015 7:18 PM
To: HLTtestimony
Cc: wailua@aya.yale.edu
Subject: Submitted testimony for HB584 on Jan 30, 2015 10:10AM

HB584

Submitted on: 1/28/2015

Testimony for HLT on Jan 30, 2015 10:10AM in Conference Room 329

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

Comments: Aloha Rep. Della Au Belatti, Chair and Rep. Richard P. Creagan, Vice Chair and Honorable members of the House Health Committee. Mahalo for this opportunity to submit testimony in support of HB 584 with a vital Amendment. I am an APRN, currently in private practice as a psychiatric specialist. I have worked many years as a staff nurse in emergency rooms in Hawaii and other states across the US Mainland, I have also worked in critical care areas as well as inpatient and outpatient psychiatric settings. I am the same person in all settings, and as a health care provider who works with potentially violent patients whether medical or psychiatric, I deserve protections regardless of setting. In addition, a potentially violent patient is not going to decide to only be violent in an ER. For these reasons, I strongly suggest this bill be amended to delete any reference to "only in an emergency room." Providers need to have their safety assured in ALL HEALTH CARE SETTINGS. Mahalo for your consideration and for all you do for the health and safety of the citizens of this great state. Warmest Aloha, Wailua Brandman APRN FAANP Ke`ena Mauiola Nele Paia, LLC 615 Piikoi Street, Suite 511 Honolulu, HI 96814 wailua@aya.yale.edu 808-255-4442

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov