



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in OPPOSITION to HB1793  
RELATING TO HOSPITALS.**

REP. DELLA AU BELATTI, CHAIR  
HOUSE COMMITTEE ON HEALTH AND HOMELESSNESS

Hearing Date: February 14, 2024

Room Number: 329

- 1 **Department Testimony:** The Department of Health (DOH) requests this measure be deferred.
- 2 Hospitals do not require statute or rule to assure physical safety, in particular given Joint
- 3 Commission standard EC.01.01.01 EP 5. This standard requires the organization to develop a
- 4 security management plan based on the organization facility's circumstances. HB1793 is
- 5 therefore redundant and overly proscriptive.
- 6 The security management plan standard takes into consideration how the organization manages
- 7 workplace violence and manages security during an emergency or disaster. Components of the
- 8 plan include but not limited to:
- 9 • how will security risks be assessed and mitigated;
  - 10 • staff rolls in security management;
  - 11 • how the facility is secured;
  - 12 • how the organization contact external security forces if needed;
  - 13 • how the organization will control access to areas identified as security sensitive; and
  - 14 • how physical or verbal threats, acts of violence, inappropriate behavior will be managed.

1 For example, hospitals with newborn nurseries and pediatric units (pediatric security risk  
2 assessment) would have very different criteria than a forensic behavioral health environment or  
3 geriatric health environment.

4 Due to these variations, it is not practical to proscribe the level of detail as proposed in HB1793,  
5 nor to require this level detail in subsequent Hawaii Administrative Rules. Furthermore, DOH  
6 does not possess any expertise in training on the use of weapons, defensive tactics, appropriate  
7 physical restraint techniques, etc. As a result, DOH request this measure be deferred.

8 Should the Legislature move forward with this concept, DOH recommends statute – not rule –  
9 that all licensed hospitals must develop and maintain a security management plan.

10 Thank you for the opportunity to testify.



**Wednesday, February 14, 2024 at 8:30 am**  
**Conference Room 329**

**House Committee on Health and Homelessness**

To: Chair Della Au Belatti  
Vice Chair Jenna Takenouchi

From: Paige Heckathorn Choy  
AVP, Government Affairs  
Healthcare Association of Hawaii

Re: **Submitting Comments**  
**HB 1793, Relating to Hospitals**

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the healthcare continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing more than 30,000 people statewide.

Thank you for the opportunity to provide **comments** on this measure, which would require security personnel to be stationed at each entrance into a hospital. These personnel would also need to be trained in several techniques and tactics, including the use of weapons, defensive tactics, and de-escalation techniques.

As an association, we have long supported enhanced legal protections for healthcare workers and are appreciative of continued efforts by the legislature to protect these essential workers, such as SB 2186. Protecting patients and workers is top of mind for hospitals—however, we have concerns that this measure may prove very costly and difficult to implement while not necessarily improving the safety of the community.

We would note that the federal Occupational Safety and Health Administration sets standards for all healthcare entities, including hospitals, regarding maintaining a safe campus for workers and patients. These standards recognize that keeping campuses safe—while maintaining a culture of care—is multi-faceted, leading the National Institute for Occupational Safety and Health (NIOSH) to state that “[n]o universal strategy exists to prevent violence.”<sup>1</sup> The directions from NIOSH include guidance for hospitals to develop a “comprehensive” violence

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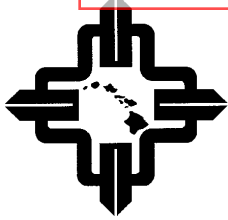
<sup>1</sup> <https://www.osha.gov/healthcare/workplace-violence>

program that takes into account the risk factors by facility and unit, involves multidisciplinary committees that include direct-care staff, and urges all workers to participate in hospital-led strategies and training.

These national requirements and guidelines are reinforced in The Joint Commission (TJC)'s Environment of Care (EC) standard 01.01.01 EP 5, which requires any organization to develop a security management plan. This requirement is focused on how security risks must be assessed and mitigated, and how a facility should be secured using both internal and external resources. Further, there are requirements to address security concerns around natural disasters, or if there is specialized equipment such as MRI machines that must receive additional scrutiny. This standard also requires different types of facilities—e.g., a perinatal facility or a psychiatric facility—to create specialized plans.

This TJC standard is exceptionally important because the state deems any hospital that has passed the TJC certification as meeting state licensing requirements. We believe that this high—but flexible—standard should continue to qualify our hospitals to meet the state's hospital licensure requirements.

Ensuring that healthcare workers and patients are kept safe is incredibly important and we appreciate the opportunity to discuss some of the standards that our hospitals meet in order to achieve this. Thank you for the opportunity to provide comments on this measure.



**HAWAII HEALTH SYSTEMS**

C O R P O R A T I O N

*"Quality Healthcare For All"*

**COMMITTEE ON HEALTH & HOMELESSNESS**

**Representative Della Au Belatti, Chair**

**Representative Jenna Takenouchi, Vice-Chair**

February 14, 2024

8:30 am

Hawaii State Capitol

Room 329 & Via Videoconference

**Comments with Concerns on HB 1793**

**RELATING TO HOSPITALS**

Directs the Department of Health to include in its rules addressing hospital licensure a requirement that each hospital holding a license from the Department of Health have security personnel in certain locations at all times.

Edward N. Chu

President & Chief Executive Officer

Hawaii Health Systems Corporation

On behalf of the Hawaii Health Systems Corporation (HHSC) Corporate Board of Directors, thank you for the opportunity to present testimony providing our concerns on this measure.

Protecting patients and workers is a priority for HHSC. While this proposal is well-intentioned to be supportive of that priority, HHSC has concerns it will be both costly and difficult to implement, while not necessarily improving the safety of the community.

The Occupational Safety and Health Administration and Joint Commission have workplace safety requirements which HHSC facilities have adopted as a requirement for maintaining licensure. All HHSC hospitals have trained security personnel and emergency response (Code Gray) protocols. HHSC facilities have developed workplace safety programs and actively train their staff – security and clinical – on de-escalation aimed at promoting a safe working environment. Finally, hospitals have multiple points of entry. A trained security guard at all points of access is not financially feasible and would require additional general fund appropriations to implement; otherwise, hospitals would be forced to remove access points making it harder for patients to receive vital healthcare services and for critical medical supplies to be delivered.

We respectfully request this measure be deferred.

Thank you for the opportunity to provide testimony on this matter.