



**Written Testimony Presented Before the  
Senate Committee on Judiciary  
Wednesday, February 28, 2024 at 10:00 AM  
Conference Room 016 & Videoconference  
by  
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**IN SUPPORT of S.B. 2569, S.D. 1**

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee, thank you for hearing this measure which allows a person who employs or contracts with a health care worker who suffers an act of violence to report the event to law enforcement and petitions for a temporary restraining order and injunction under certain circumstances. This measure, in addition to S.B. 2186, S.D.1, will improve the safety of the working environment for healthcare workers throughout the state. Together, these are a powerful and complimentary changes to the Hawai'i Revised Statutes that will positively impact the healthcare work environment.

In 2018, the Hawai'i Legislature, in its great wisdom, expanded protections for health care workers including nurses, nurse aides, and other members of the healthcare team through Act 147, SLH 2018. By increasing the penalty for assaulting a healthcare worker, and by expanding the protections to all employees and contractors of a healthcare facility, the state asserts its commitment to the healthcare worker community. In discussions with the nursing community, one hesitation to utilize the protections established in Act 147, SLH 2018 is the fear of having their personal information discoverable should the healthcare worker press charges for the assault they experienced. This measure would enable the employer to intervene and engage in establishing these legal protections.

In 2016, the U.S. Bureau of Labor Statistics found that violent events accounted for 12.2% of all injuries that nurses experienced, and that the incidence rate (12.7 per 10,000 FTEs) was three times greater than that of violent events for all occupations (3.8/10,000 workers). The report concluded "additional measures to protect RNs from occupational hazards could benefit both patients and the healthcare system as a whole."<sup>1</sup> Unfortunately, the risk for workplace violence has exacerbated. Research findings from Press Ganey find that in the U.S. two nurses are assaulted every hour.<sup>2</sup> The American Nurses Association elaborates that one in four nurses are

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<sup>1</sup> Michelle A. Dressner and Samuel P. Kissinger, "Occupational injuries and illnesses among registered nurses," Monthly Labor Review, U.S. Bureau of Labor Statistics, November 2018, <https://doi.org/10.21916/mlr.2018.27>

<sup>2</sup> PressGaney. (2022) On average, two nurses are assaulted every hour, new Press Ganey analysis finds. <https://www.pressganey.com/news/on-average-two-nurses-are-assaulted-every-hour-new-press-ganey-analysis-finds/>

*The mission of the Hawai'i State Center for Nursing is to engage in nursing workforce research, promote best practices and disseminate knowledge, cultivate a diverse and well-prepared workforce, support healthy work environments, champion lifelong learning, and strategically plan for sound nursing workforce policy.*

assaulted, yet only 20-60% of incidents are reported, and that 13% of missed workdays are due to workplace violence.<sup>3</sup>

According to the Hawai'i State Center for Nursing 2023 Nursing Workforce Supply report findings, **in Hawai'i 64% of all nurses reported experiencing some type of physical or verbal violence by a patient or visitor in the last 12 months**, and 32% percent of all nurses reported experiencing violence more than once a month (14% at least monthly, 13% at least weekly, and 5% at least daily).<sup>4</sup>

The national Nurse Staffing Think Tank, comprised of thought leaders from the American Association of Critical Care Nurses, American Nurses Association, American Organization for Nursing Leadership, Healthcare Financial Management Association, and Institute for Healthcare Improvement, made “Healthy Work Environment” a top priority. The Think Tank recommended that “Elevat[ing] clinician psychological and physical safety to equal importance with patient safety through federal regulation.” Action steps included in this recommendation include “Implement processes to track and prevent workplace violence within health systems” and “Advocate for implementation of federal legislation to protect health care professionals.”<sup>5</sup>

The Hawai'i State Center for Nursing has worked with our nursing stakeholders and already identified Workplace Safety as a priority. We will continue to develop locally implementable strategies in addition to the commendable effort by the Legislature to improve wellbeing of healthcare workers, including nurses, while at work.

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

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<sup>3</sup> American Nurses Association. (2023). Workplace Violence/ #EndNurseAbuse. <https://www.nursingworld.org/practice-policy/work-environment/end-nurse-abuse/>

<sup>4</sup> Hawai'i State Center for Nursing (2023). 2023 Hawai'i Nursing Workforce Supply Statewide Data Tables by License . [https://www.hawaiicenterfornursing.org/wp-content/uploads/2023/09/State-Data-Tables-v.Final\\_.pdf](https://www.hawaiicenterfornursing.org/wp-content/uploads/2023/09/State-Data-Tables-v.Final_.pdf)

<sup>5</sup> Nurse Staffing Think Tank. (2022). Priority Topics and Recommendations. <https://www.nursingworld.org/~49940b/globalassets/practiceandpolicy/nurse-staffing/nurse-staffing-think-tank-recommendation.pdf>

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**WAIANAЕ COAST  
COMPREHENSIVE  
HEALTH CENTER**

Aloha Chair Karl Rhoads, Vice Chair Mike Gabbard, and Members of the Committee on Judiciary:

I write on behalf of Waianae Coast Comprehensive Health Center (WCCHC) to express our **strong support** for SB 2569 SD1, an important piece of legislation aimed at enhancing the safety and security of healthcare workers by allowing employers to report acts of violence and petition for temporary restraining orders (TROs) and injunctions under specific conditions.

This bill is important for WCCHC, where our commitment to the well-being of our employees directly correlates with our ability to serve our community effectively. The healthcare sector has witnessed a concerning rise in workplace violence, with healthcare workers facing threats and physical harm at an alarming rate. Notably, in 2018, healthcare workers accounted for 73 percent of all nonfatal workplace injuries due to violence, a rate five times higher than other sectors. Canopy, a safety device manufacturer, shared new 2023 data showing violence impacted more than 10% of hospital staff last year in every role. Hospital staff with their devices triggered 22,000 alerts requesting immediate help with an emerging threat or active violence among 200,000 employees. While the largest share of these alerts originated in emergency departments (40.5%), nearly two-thirds occurred in other areas.

Our experience mirrors this national trend, with numerous instances of threats against our staff. Regrettably, obtaining adequate and timely responses from local law enforcement has been challenging, contributing to increased employee burnout and absenteeism. For instance, one of our dedicated doctors had to take three separate shifts off work to navigate the complex process of obtaining a TRO, underscoring the inefficiencies of the current system.

States including Arkansas, California, Colorado, Georgia, and others have enacted similar provisions empowering employers to be able to file for TROs on behalf of their employees. SB 2569 SD1 offers a practical step in the right direction by allowing health centers to take proactive steps to secure TROs on behalf of their employees, fostering a safer work environment and, by extension, a healthier community.

Mahalo for your consideration,

Leinaala Kanana  
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**SB-2569-SD-1**

Submitted on: 2/20/2024 7:22:30 PM

Testimony for JDC on 2/28/2024 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Kidd	Individual	Support	Written Testimony Only

Comments:

I support this measure