

ANTONIO HAYES
Legislative District 40
Baltimore City

Finance Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 222
Annapolis, Maryland 21401
410-841-3656 · 301-858-3656
800-492-7122 Ext. 3656
Antonio.Hayes@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 10, 2020

Testimony of Senator Antonio Hayes in Support of SB 943: Labor and Employment – Health Care Facilities – Workplace Safety 3 (Safe Care Act)

Dear Chairwoman Kelley and Members of the Finance Committee,

The National Institute for Occupational Safety and Health defines workplace violence as “violent acts, including physical assaults and threats of assault, directed toward persons at work or on duty.” Healthcare workers are at a significantly increased risk for workplace violence. From 2002 to 2013, incidents of serious workplace violence (requiring days off to recuperate) were four times more common in healthcare than in private industry on average. In fact, healthcare accounts for nearly as many serious violent injuries as all other industries combined including construction, manufacturing, and retail.

Senate Bill 943 seeks to prevent and address incidences of violence by requiring each state residential center and each state-operated hospital to develop a workplace safety plan in writing. The plan must be in effect at all times; available for viewing; specific to each unit, area, and location; and be developed in collaboration with the Workplace Committee. It stipulates that workers receive training on the prevention of workplace violence upon getting the job and at least annually thereafter. This must be updated when a previously unrecognized hazard is identified or there is a material change in the facility.

Hospitals will be required to respond to and investigate incidents of workplace violence including procedures for using engineering controls, obtaining assistance from security personnel/public safety agencies, responding to active shooters/other threats of mass casualty, and annually assessing the effectiveness of such a plan. This legislation requires facilities to maintain communication systems, respond to each incident, provide timely medical care/first aid, identify workers involved, offer the opportunity for timely debriefing, review risk factors, review implementation/effectiveness, and solicit feedback of workers involved.

They must provide a report within 14 days of the incident to the Commissioner about any case involving the use of physical force against a health care worker, firearm/other dangerous

weapon, and/or that present a real possibility of death or serious physical harm. Additionally, this bill protects workers from penalty for participating in the workplace safety plan and stipulates what should be included in a report. This includes:

- Information on the identification, evaluation, and correction of hazards;
- A record of each training session;
- A record of incidents including those reported to the Commissioner; and
- Any additional information requested by the Commissioner- excluding identification information on patients, employees, or other health care workers.

Workplace violence is one of the most complex and dangerous occupational hazards facing workers in health care environments. By implementing strong workplace safety plans, facilities will enhance employee and patient safety and improve the quality of patient care.

I urge a favorable report on SB 943.

Respectfully,



Senator Antonio L. Hayes
Chair, Baltimore City Senate Delegation
40th Legislative District - MD