

SB 846 Peace Orders Workplace Violence

March 11, 2020

Senate Judicial Proceedings Committee

Position: Support

The University of Maryland Medical System (“UMMS”) supports Senate Bill 846, Peace Orders- Workplace Violence. UMMS is a thirteen member hospital and health system that employs more than 28,000 people.

Senate Bill 846 would make provisions of law relating to the filing, issuance and modification of peace orders. One of the critical modifications that SB 846 proposes is allowing the victim’s employer to file the peace order on the employee’s behalf in order to protect the victim’s address.

This bill is an important measure to promote the safety and well-being of individuals across the state, especially in high – volume, high – pressure healthcare settings. Complex medical issues, stress and trauma – related symptoms can combine to make healthcare settings a landscape rife with abuse towards its workers. Increasingly, sad tales are illustrated in the media of attacks and threats against hospital personnel by disgruntled patients and families. Workplace violence significantly impacts all health care workers. (Phillips, 2016). According to the Bureau of Labor Statistics, 27% of fatalities in healthcare and social service settings in 2013 were due to assaults and violent acts. (OSHA, 2015). The incidence of workplace violence in healthcare settings is pervasive and on the rise.

According to the Occupational Safety and Health Administration (OSHA), approximately 75 percent of nearly 25,000 workplace assaults reported annually occurred in health care and social service settings; workers in health care settings are four times more likely to be victimized than workers in private industry. The National Crime Victimization Survey showed health care workers have a 20% higher chance of being the victim of workplace violence than other workers. The Bureau of Labor Statistics (BLS) data show that violence-related injuries are four times more likely to cause health care workers to take time off from work than other kinds of injuries. The Joint Commission’s Sentinel Event data shows 68 incidents of homicide, rape, or assault of hospital staff members over an eight-year period.

Alarming, the actual number of violent incidents involving health care workers is likely much higher because reporting is voluntary. Researchers at Michigan State University estimated that the actual number of reportable injuries caused by workplace violence, according to Michigan

state databases, was as much as three times the number reported by the BLS, which does not record verbal incidents. (Sentinel Event Alert, Issue 59, April 17, 2018).

Unfortunately, the staff in our health system are not immune to workplace violence, nor are these type of incidents limited to emergency rooms or psychiatric departments. Also unfortunate is the underreporting that occurs because of a belief that reporting these crimes will have no impact or that there will be a negative impact on the reporter in the form of retaliation or harassment.

Medical professionals and healthcare personnel, especially in hospitals, are extremely vulnerable. Hospital workers have a public schedule and work in an environment that is open to the public. Victims are very frightened and may not press charges for fear of escalating an aggressor's behavior. One known deterrent of participating with the criminal justice process is a fear of retaliation. Retaliation is a real and possible consequence, especially if the victim or witness' identifying information is included in the peace order or accompanying documents that become part of public record.

This bill can mitigate and interrupt the cycle of retaliatory violence, protect a witness from becoming a secondary victim and build trust between victims and the judiciary system. This legislation will provide needed additional protections for victims of workplace violence and strengthen layers of protection for victims, leading to empowerment and safety in our communities and workplaces.

For these reasons, the University of Maryland Medical System urges a favorable report on SB 846.

Respectfully Submitted,

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