



Maryland
Hospital Association

Senate Bill 105- Peace Orders - Workplace Violence

Position: *Support- Conform to House Bill 289*

April 1, 2021

House Judiciary Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment in support of Senate Bill 105 - Peace Orders - Workplace Violence. Hospitals are places of health and healing. Yet, violence occurs every day in health care settings. Of the 25,000 incidents reported across all workplaces annually, 75% occur in the health care or social service facilities, according to the Occupational Safety and Health Administration.¹ The risk of being a victim of workplace violence sadly is at least 20% higher for health care workers.²

SB 105 as introduced, offers an essential tool to protect our health care heroes and their workplace from violent individuals who threaten to return to the hospital to cause harm.

Health care workers are often reluctant to report cases of workplace violence, and even more reluctant to pursue legal action, such as petitioning for a peace order. By allowing the employer to petition on an employee's behalf, hospitals can better protect their employees. It is important to note that often incidents of violence in hospitals impact multiple employees. As an employer, our goal is to protect all employees affected by violence.

We respectfully request the Committee conform SB 105 to HB 289, which this committee voted favorably, by removing the amendments added by the Senate Judicial Proceedings Committee. The proposed amendments remove the immunity provision which could expose all employer's employees to the full burden of litigation. SB 105 is meant to provide additional protections to support employees, but this far-reaching amendment may undermine the intent of the legislation. Several states have passed similar laws to allow an employer the authority to petition for or to apply for restraining orders to prevent violence, harassment, or stalking of their employees. Many of these states include immunity language like the provision in HB 289.

For these reasons, we ask for a favorable report on SB 105 with the removal of the Senate amendments.

For more information, please contact:
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¹ The Joint Commission. (April 17, 2018). [Sentinel Event Alert: Physical and Verbal Violence Against Health Care Workers.](#)

² Ibid.