
Fiscal: Fiscal impact issued
Revenue: No Revenue Impact

Action Date: 03/25/15
Action: Do Pass With Amendments. Refer To Judiciary By Prior Reference (Printed A-Eng).
Meeting Dates: 02/16, 03/25
Vote:
Yeas: 5 - Knopp, Kruse, Monnes Anderson, Shields, Steiner Hayward
Prepared By: Zena Rockowitz, Committee Administrator

WHAT THE MEASURE DOES:

Expands crimes of third degree assault to include intentionally, knowingly or recklessly causing physical injury to health care providers in hospitals. Defines health care provider as a person who provides or assists in providing health care services in hospital. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Increase in violent acts at rural and urban facilities
- Impact on people with dementia and mental illness
- Deterrence factor for assailants
- Higher rate of violence for health care workers than other professions

EFFECT OF COMMITTEE AMENDMENT:

Defines health care provider as a person who provides or assists in providing health care services in hospital.

BACKGROUND:

Oregon law considers crimes against certain professions to be assault in the third degree: operators of public transit vehicles; staff members of youth correction facilities; emergency medical services providers; and operators of taxis. Hospital workers have a higher risk of violence in the workplace than other professions. In 2013, the Bureau of Labor Statistics reported that in the health care sector, 13 percent of injuries and illnesses were a result of violence in the workplace.

In 2007, the Oregon Legislative Assembly passed House Bill 2022, which requires hospitals and other health care facilities to implement strategies to protect health care employees from acts of violence, such as assault. These entities must have prevention programs and training, as well as ongoing security and safety assessments. The bill also required the Department of Consumer and Business Services (DCBS) to report on violence in the workplace. It found that in 2008 (the last year for which comprehensive data is available), for the 1,061 assaults recorded, 99 percent occurred in a hospital, of which 50 percent were in the behavioral health/psychiatric unit, 13 percent in the medical/surgical unit, and 11 percent in the emergency room. The majority of victims were identified as nursing assistants, orderlies or aides (42 percent), or as registered nurses or licensed practical nurses (32 percent). Nearly 100 percent of assailants were patients. DCBS reported that 80 percent of assaults resulted in minor injury, 18 percent involved major soreness, lacerations, and large bruises, and two percent involved bone fracture or head injury.

One hospital system in Oregon reviewed Violence in the Workplace security reports from five hospitals, and found that in 2014, there were 157 reports of physical violent contact directed toward an employee. These incidents included employees that were struck, kicked, pushed, pinched or spat upon.