

## **SB 823 -2 STAFF MEASURE SUMMARY**

### **Senate Committee On Health Care**

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**Sub-Referral To:** Senate Committee On Workforce

**Meeting Dates:** 3/20, 4/3, 4/8

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#### **WHAT THE MEASURE DOES:**

Requires health care employers to conduct a comprehensive security and safety evaluation to identify factors that may cause violence committed against employees on the premises of the employer by June 30, 2021. Requires employers to report to the Department of Consumer and Business Services (DCBS) on completion of evaluation by December 21, 2021. Requires DCBS to compile submitted reports and submit to the Legislative Assembly by March 22, 2022. Makes it an unlawful employment practice to discriminate against person who has in good faith reported an assault that has occurred on the premises of a health care employer or in the home of a patient receiving home health care services. Requires health care employers to establish a process by which the committee shall review the health care employer's assault prevention and protection program in consultation with the employer's workplace safety committee at least once every two years. Requires health care employers to generate and make available report summarizing assault information upon request of an employee or workplace safety committee. Specifies permissible uses of reports.

*REVENUE: No revenue impact*

*FISCAL: Fiscal impact issued*

#### **ISSUES DISCUSSED:**

#### **EFFECT OF AMENDMENT:**

-2 Replaces measure.

#### **BACKGROUND:**

The Centers for Disease Control and Prevention (CDC) National Institute for Occupational Safety and Health (NIOSH) defines workplace violence as "violent acts (including physical assaults and threats of assaults) directed toward persons at work or on duty." The U.S. Department of Labor defines workplace violence as an action (verbal, written, or physical aggression) which is intended to control or cause, or is capable of causing, death or serious bodily injury to oneself or others, or damage to property. Workplace violence includes abusive behavior toward authority, intimidating or harassing behavior, and threats. 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 and workers in health care settings are four times more likely to be victimized than workers in private industry.

Senate Bill 823 makes it an unlawful employment practice for a health care employer to retaliate or discriminate against an employee who makes a good faith report of assault and requires reporting by health care employers of assault summaries.