



**Oregon Chapter
American College of
Emergency Physicians**

Date: February 13, 2024

**To: Rep. Jason Kropf, Chair
Rep. Tom Anderson, Vice-Chair
Rep. Kim Wallan, Vice-Chair
Members of the House Judiciary Committee**

**From: Craig Rudy, MD, FACEP, President
Oregon Chapter of the American College of Emergency
Physicians**

Subject: HB 4088 Hospital Workplace Violence

Chair Kropf and members of the committee, my name is Dr. Craig Rudy and I'm President of Oregon Chapter of the American College of Emergency Physicians. OR-ACEP is a medical society that has represented physicians specializing in emergency medicine since 1971 and its members share a commitment to improve emergency healthcare for all Oregonians.

I'm here today in strong support of HB 4088 and the -2 amendments, which include provisions to enhance the penalty for assaulting a person working in a hospital. The chapter has worked on this issue with the Oregon Emergency Nurses Association for multiple sessions. We'd like to commend the leadership of Rep. Travis Nelson and Rep. Shelly Boshart-Davis for convening a workgroup after the killing of Bobby Smallwood, a security guard at a Portland hospital, in 2023. Your action is needed now to protect healthcare workers and to make people accountable for assaulting them.

Assaults on healthcare workers have escalated during the pandemic and have reached a crisis point. Healthcare workers demand and deserve legislation to protect them now more than ever. According to surveys by the American College of Emergency Physicians and the Emergency Nurses Association, almost half of emergency physicians reported being physically assaulted on the job. The number rises for emergency nurses; 70 percent of them report assaults at work. It happened at my workplace too.

Recently, we had an event where a patient unexpectedly and unprovoked, pinned one of our staff members against a counter and began to assault them. As another staff member attempted to intervene, she was also struck. This resulted in a prolonged absence from work. The other staff member is unlikely to ever return to the bedside as a result of the trauma.

Chapter President- Craig Rudy, MD, FACEP

Chapter Executive- Sierra Acker

President-Elect- Christian Smith MD, FACEP **Government Relations Director-** Katy King

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On a personal note, I have been on the receiving end of numerous violent threats and occasionally violence. A particularly notable example occurred during a nightshift. A patient came to the emergency department requesting a refill for their chronic opioid prescription. Their PCP has recently stopped filling this due to repeated violations of their opioid contract. As I began to explain that I would need to uphold the rule of the contract, the patient lunged at me. He then began to chase me through the emergency department. That night I was fortunate that multiple nurses were immediately available to help me avoid a physical assault. However, I have numerous colleagues who have not been as fortunate in similar situations.

My story is a common one.

According to a 2022 ACEP survey, 85% of emergency physicians believe the rate of violence experienced in emergency departments has increased over the past five years.

OR-ACEP has surveyed members in 2022 and found that:

- Over half frequently feel unsafe at work
- 39 percent have been assaulted — most of those (71 percent) are not reported.

The reasons given are that most didn't have confidence that reporting would affect anything (65 percent) or that the effort of reporting was burdensome (34 percent).

Even when health care workers report assaults, it's hard to get law enforcement to take action for when a person is punched or kicked with no weapon involved.

Physical violence, intimidation and threats are not accepted in any other workplace, and they should not be allowed or tolerated in a health care setting. Emergency departments should be a safe space where patients are guaranteed they have the full attention and dedication of their care team to treat their ailments. We appreciate concerns that this bill might be misapplied to people with a mental illness or disability but healthcare workers rarely report assaults if it's clear the person was in active psychosis or couldn't understand their own actions.

The Oregon legislature has a responsibility to pass a bill not only to hold criminals appropriately responsible for their actions but as a way to tell Oregon's healthcare workers who regularly face violence in ways few other professions do, we appreciate your dedication and will do everything possible to never have you worry about getting home safely to see your family again.

Thank you for your consideration.

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