

Submitter: Alisa Sheth
On Behalf Of:
Committee: House Committee On Judiciary
Measure: HB4088

As a healthcare provider of over 20 years that has worked in many settings, including hospitals and long-term care facilities, I know how important it is to keep healthcare workers safe and able to do their jobs in a safe work environment. However, HB4088 has some concerning implications for patients who may be experiencing a crisis while trying to seek care. Including the language of felony assault in this bill without adequate protections for patients can cause more harm than protection. As an occupational therapist, I've worked with many people with disabilities who have communication, cognitive, and sensory support needs that are often unmet when seeking care in a busy and crowded healthcare setting. For example, someone with a sensory processing disorder may become overstimulated from all the lights and noises. A person with an intellectual disability may not understand the fast verbal explanation of a procedure involving a needle and be startled. A person with a brain injury may become frustrated if they do not have access to their augmentative and assistive communication devices to express their needs. A person with dementia may become agitated if they are hungry or need to use the bathroom. A person with schizophrenia may be experiencing distressing hallucinations while needing care. As a researcher, I've published studies that found that people living in long-term care environments feel much more unsafe and disrespected than those living their own homes. If a person's basic needs are not being met in a healthcare setting or they feel unsafe themselves, by not fault of their own, should they be charged with felony assault if they become aggressive? Should we be punishing patients who may be overwhelmed, traumatized, or treated poorly by healthcare providers, instead of working to ensure that healthcare environments are accessible, supportive, well-staffed, and safe for all? Please consider changing this bill to protect disabled people who are much more likely to be victims of assault rather than perpetrators of assault in addition to important workplace safety protections for healthcare providers.