

Memo

To: Members, House Government Operations Committee
From: Adam Carlson, Vice President, Advocacy
Date: Jan. 26, 2022
Re: House Bill (HB) 5084 & 5682
Position: Support

The Michigan Health & Hospital Association (MHA) supports HB 5084 & 5682, which makes it a felony and enhances penalties for assaulting emergency room personnel while they are performing job-related duties. This legislation would bring Michigan in line with 32 other states that currently have laws that make it a felony to assault healthcare workers or emergency medical personnel.

According to Bureau of Labor Statistics data, workers in the healthcare sector experience violence-related injuries in the workplace more than four times the rate of the private sector. In a study by the Emergency Nurses Association, 54% of nurses had experienced physical or verbal abuse in the past two weeks.

Healthcare employees and volunteers entered these professions with the primary purpose of helping others, but increasingly, violence is becoming an unfortunate and unavoidable part of providing healthcare. These violent events and their lasting impact have detrimental consequences on healthcare professionals and on Michigan hospital's ability to properly staff clinical units, especially in rural areas where healthcare professionals are in high demand.

It's currently a felony to assault police officers, firefighters, paramedics and other first responders. Previous legislatures have recognized that these professions are inherently dangerous, and folks on duty in those fields have an obligation to run toward danger, not away from it. Healthcare workers are no different. The federal Emergency Medical Treatment and Active Labor Act (EMTALA) requires that hospitals treat all those who walk through their doors. If an individual poses a threat to themselves or others, treatment can be delayed under EMTALA, but not denied. We need to do more to protect our healthcare workers.

Hospitals across Michigan are already taking active steps to reduce incidents of violence in the workplace. We have worked with consultants and other professionals on de-escalation techniques, enhanced hospital security, signage to discourage violent behaviors, and unfortunately, hand-to-hand violence aversion trainings. This legislation is a vital part of those efforts and would provide additional protections for hospital emergency departments.

Brian Peters, Chief Executive Officer

MHA supports this legislation and encourages lawmakers to expand these protections to healthcare personnel outside of the emergency room setting, as well as volunteer staff. Any members with questions can reach out to Adam Carlson at acarlson@mha.org.