April 29, 2019

Senator James B. Eldridge, Chair
Joint Committee on the Judiciary
24 Beacon Street
Room 320
Boston, MA 02133

Representative Claire D. Cronin, Chair
Joint Committee on the Judiciary
24 Beacon Street
Room 136
Boston, MA 02133

Re: H. 1578 and S. 838, An Act strengthening the penalty for assault or assault and battery on an emergency medical technician ambulance operator, ambulance attendant or health care provider

Dear Sen. Eldridge, Rep. Cronin, and members of the Joint Committee on the Judiciary:

The American Nurses Association Massachusetts respectfully submits testimony regarding H. 1578 and S. 838, An Act strengthening the penalty for assault or assault and battery on an emergency medical technician, ambulance operator, ambulance attendant or health care provider. ANA Massachusetts is the largest voluntary professional nursing organization in Massachusetts, representing all nurses in the Commonwealth and advocating on behalf of their safety and wellbeing in the workplace.

Nursing is a profession of caring, empathy and compassion. Nurses care for patients regardless of race, religion and creed, and do so without judgement or bias. However, violence towards nurses and other healthcare professionals has become far more prevalent and more tolerated in recent years. We understand that patients with acute illness or unique circumstances may lead to behaviors beyond their control. However, many times violent behaviors are not a result of a medical condition or extenuating circumstance. Violence against healthcare workers should never be tolerated, and penalties must be strengthened.

Data and statistics on workplace violence are staggering. Nurses working in the Emergency Department and psychiatric units are most susceptible, however, nurses in all areas of care are at risk. Violence can range from intimidation, verbal threats, and harassment, to physical assault with or without weapons, to homicide. The most common incidents reported are hitting, kicking, beating and shoving. However, accounts from nurses on “general care units” include stabbings, punching, attempts at strangulation– the terrifying list goes on. Devastatingly, in 2015, at Brigham and Women’s Hospital in Boston, a surgeon was shot and killed by the disgruntled son of a deceased patient.

The New England Journal of Medicine\(^1\) cited one large study which highlighted that 46% of nurses reported some type of workplace violence within their previous five shifts, and of these

nurses, approximately one third were assaulted. Additionally, in the previous year, 100% of emergency room nurses surveyed reported verbal assaults and 82.1% reported being the victims of physical assault. Furthermore, rates of assault often go underreported.

It is our duty to protect nurses and healthcare workers. In a fast paced and dynamic healthcare system, we cannot afford to lose exceptional nurses and healthcare workers who have been affected by violence and are hesitant to come to work, afraid of what could happen to them on any given day. 67% of all nonfatal workplace violence injuries occur in healthcare, but healthcare represents only 11.5% of the U.S. workforce. The American Nurses Association Massachusetts appeals to healthcare institutions to foster a change in culture and adopt a zero-tolerance policy to workplace violence. Perhaps only then will barriers to reporting be lifted and tolerance to the situations be mitigated. Maintaining safe work environments is the duty of nursing leadership and hospital administrators, however, strong and sound legislation is necessary to bring attention to this matter.

H. 1578 and S. 838 will strengthen the penalty for assault or assault and battery on healthcare workers. With this strong and necessary legislation, nurses and healthcare workers will be empowered to stand up against assaults in the workplace and report these horrific acts. They will no longer think or feel that these circumstances are “part of the job”. The American Nurses Association Massachusetts implores you to support H. 1578 and S. 838 for the safety and well-being of healthcare workers across the Commonwealth of Massachusetts.

Thank you for your time and attention on this incredibly important matter.

Respectfully submitted,

Julie Cronin, DNP, RN, OCN
President, ANA Massachusetts
president@ANAMASS.org

Carmela A. Townsend, DNP, MS/MBA, RN
Executive Director, ANA Massachusetts
catownsend@ANAMASS.org
617-990-2856