



Maryland
Hospital Association

**House Bill 894- Criminal Law- Felony Second Degree Assault- Emergency Medical Care
Workers**

Position: Support with Amendment

Bill Summary

HB 894 makes a physical assault on emergency medical care workers a felony with a possibly penalty of ten years imprisonment and a \$5,000 fine. Currently these enhanced penalties are only extended to assault on a police or parole officer, fire fighter or emergency medical technicians in the field.

MHA Position

Every day the women and men who work at Maryland's hospitals offer their patients compassionate, professional care. In places that are dedicated to helping others heal, it's especially jarring to recognize that these hospital associates are too often in danger.

Consider these national statistics: in 2014, more than half of all the workplace violence incidents reported to the Bureau of Labor Statistics took place in a health care setting. Although most incidents of workplace violence in the healthcare setting are verbal in nature, some involve assault, battery, domestic violence and sexual harassment. The statistics run counter to our calling as hospital and community leaders to provide a safe environment for caregivers to give care.

Protecting associates from the dangers of workplace violence is a key priority for the Maryland Hospital Association's (MHA) 62-member hospitals and health systems. That is why, in 2018, MHA and the Maryland Nurses Association formed the Workplace Violence Prevention Steering Committee that we expect will produce actionable measures to enhance workplace safety.

While the ultimate goal of any workplace safety program is prevention of a workplace violence incident it is important to protect a health care worker who is assaulted and make it clear that physical abuse is not part of the job. This legislation is a step in the right direction, as it creates parity between the enhanced protection for emergency medical care workers in an acute care setting and emergency medical care workers in the field. However, the legislation does not go far enough.

By extending enhanced penalties for assault of emergency medical care workers only, the legislation ignores the real threat of violence throughout the hospital setting. The legislation will also create two classes of workers inside a single facility, whereby assault on one worker may be a felony and assault on another worker in the same hospital will be a misdemeanor.

For these reasons MHA strongly recommends a **favorable report** by the committee with an **amendment to ensure HB 894** to include all healthcare workers in hospital and free-standing medical facilities.