



February 3, 2022

**To: Rep. Janelle Bynum, Chair
House Committee on Judiciary**

**From: Alex Skog, MD, FACEP
President-Elect, OR-ACEP**

Subject: HB 4142 Protecting hospital workers from workplace violence

Chair Bynum, Vice-Chairs, and members of the committee, please accept this statement for the record on behalf of OR-ACEP, the 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.

OR-ACEP strongly supports HB 4142.

This bill amends ORS 163.165 to add people working in hospitals to the list of professions, if intentionally, knowingly, or recklessly assaulted while performing their job, the crime is classified as a class C felony. Assaults on healthcare workers have escalated during the pandemic. 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.

Last week, I was toward the end of one of a string of 5PM to 1AM shifts that had prevented me from seeing my 2 young children for 4 days straight when the COVID test on an older patient I was taking care of came back positive. The patient had a low oxygen level necessitating admission to the hospital. I went to discuss the unfortunate result with the patient. As I gave the patient and family the news, the patient's son stood up from his chair and walked up to me screaming that he won't let me admit his father to the hospital so that I could put his father on a ventilator and kill him. I explained that my only goal was to do everything possible to make his father get better and that a ventilator was only a last resort. He pushed his jacket back to reveal a gun holster strapped to his hip and said "If anything happens to my

Chapter President- Chris Richards, MD, FACEP

Chapter Executive- Liz Mesberg

President-Elect- Alex Skog, MD, FACEP **Government Relations Director-** Katy King



**Oregon Chapter
American College of
Emergency Physicians**

father, I will kill you and your family. It will be World War III.” I had positioned myself between the patient and the door as I always do for safety and was able to get out and call security and subsequently police. Police officers escorted the patient out to his car in the parking lot where he undoubtedly left the firearm that he carried in the holster he was wearing. I was left in the emergency department unarmed and virtually defenseless.

The American College of Emergency Physicians has a clear position on the issue of violence against emergency department personnel at work.

“Optimal patient care can only be achieved when patients, health care workers and all other persons in the emergency department are protected against violent acts occurring within the department.

Note that the focus in this statement is on the ability of ED healthcare workers to care for other patients instead of the safety of the healthcare workers themselves.

For the remainder of my shift I caught myself regularly looking at the security camera video screen behind the charge nurse desk hoping not to see the ED doors sliding open to reveal this person returning. I listened for any commotion in the waiting room, instead of focusing on a nurse asking me to confirm the correct medication for another patient. While trying to see the remaining patients who have overwhelmed us during the latest COVID surge, I found my mind regularly drifting to my two sons who I hadn't seen in 4 days and thinking about this person having my name and, therefore, being able to find the address where my children were currently sleeping.

The wedge that has been forged into our society is strong enough to drive certain individuals to violence against even those who are trying to do nothing more than help them. Unfortunately, this type of experience is far from unique and numerous hospital workers have stories where threats have progressed to actual assault.

This bill will not change that; however, the passage of HB 4142 is critical. Healthcare workers are leaving the profession in droves not solely due to events like the one I am describing today, but because these events go largely unrecognized by the broader public. The Oregon legislature has a responsibility to pass HB4142 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.

Chapter President- Chris Richards, MD, FACEP

Chapter Executive- Liz Mesberg

President-Elect- Alex Skog, MD, FACEP **Government Relations Director-** Katy King