



February 3, 2022

Oregon State Legislature
House Committee on Judiciary
900 Court St. NE
Salem, OR 97301

Re: House Bill 4142 – Hospital Worker Felony Assault

Chair Bynum, Vice Chairs Power and Noble and members of the House Committee on Judiciary:

On behalf of Oregon’s 62 community hospitals, their employees, and the patients they serve, the Oregon Association of Hospitals and Health Systems (OAHHS) strongly supports HB 4142, which will expand the crime of assault in the third degree to include causing physical injury to person working in hospital while worker is performing official duties.

Oregon hospitals are committed to a culture of safety and take workplace violence prevention very seriously. Oregon is one of only a handful of states that has a comprehensive workplace violence prevention law that requires hospitals to conduct security and safety assessments every two years, develop and implement assault prevention and protection programs, provide assault prevention and protection training, maintain a record of assaults and outlines prescriptive functions of a hospital safety committee.

Furthermore, beginning in 2014 OAHHS, Oregon hospitals, SEIU Local 49 and the Oregon Nurses Association (ONA) came together to collectively address the incidents, employee and organizational concerns, and costs associated with violence against health care employees. This collaboration, after four years of dialogue, pilot projects in Oregon hospitals, and fine-tuning practices, led to the development of the Workplace Violence Prevention Toolkit which was deployed across the state in 2018, and modified with additional resources and tools in 2020. The toolkit has received national recognition and is now recognized by The Joint Commission as a recommended resource for other health care employers to address workplace violence proactively and comprehensively.

We want to work to prevent all incidents of violence in our hospitals. However, since hospitals are community resources whose doors are always open and we cannot turn away patients, there are safety risks. While violence in hospitals primarily occurs toward direct care providers, including nurses and emergency department physicians, all hospital staff are at risk including admitting staff, or environmental services and dietary services workers who may have interactions with patients or visitors. We appreciate that this bill would protect those workers too.

Additionally, we feel it is vital that patients are protected as well. The culture of safety in our facilities seeks to maximize violence prevention efforts through security and safety assessments by evaluating for risk factors related to both intentional and unintentional violence. It is for this reason that the inclusion of language making it an assault in the third degree to physically injure a person working in a hospital only if it is done “intentionally, knowingly, or recklessly” is essential. This will protect patients who may injure a worker through an action that is neither deliberate or consciously done due to the patient’s physical or mental capacity at the time of the action.

Hospital workers operate in a public service and public trust roles and they deserve the same legal protections afforded to public transit workers, taxi drivers, emergency medical services providers, and highway workers as they serve on the frontlines to care. While no bill or law can fully predict or prevent every assault, HB 4142 is another resource available in reducing assaults on our hospital employees.

We hope that you will join us in working towards an environment that protects those working in hospitals by supporting HB 4142.

Thank you,

A handwritten signature in black ink, appearing to read "Andi Easton". The signature is fluid and cursive, with a large initial "A" and "E".

Andi Easton
Vice President of Government Affairs
Oregon Association of Hospitals and Health Systems