



## Support for HB 4088 -2

February 12, 2024

To: Chair Kropf, Vice Chair(s) Andersen and Wallan, and Committee Members

From: Paige Spence, Director of Government Relations, Oregon Nurses Association

Re: Support for HB 4088 -2

Dear Chair Kropf, Vice-Chairs, and esteemed committee members:

Thank you for the opportunity to provide testimony for HB 4088 with the -2 amendment on behalf of the Oregon Nurses Association (ONA). ONA is a professional association and labor union representing over 17,000 nurses and healthcare professionals across Oregon.

ONA's members truly appreciate the partnership with Representative Nelson as he worked to draft the base bill and also work with stakeholders to improve it with the -2 amendment.

ONA's members are aware first-hand of the need for the policy initiatives included in this bill to prevent incidents of workplace violence against the nurses and allied health care workers who we represent and who care for your constituents in hospitals and health systems across the state.

### Statistics

First, workplace violence against healthcare workers is a well-documented national problem. In 2022, US health care workers in the private sector were found to be 5 times more likely to experience nonfatal violence-related injury compared to workers in all other private industries combined.<sup>1</sup> Narrowing the context down to just nurses, two nurses are assaulted each hour on average, data shows. That translates to roughly 57 assaults per day, 1,739 assaults per month and 5,217 assaults per quarter.<sup>2</sup>

In Oregon, we absolutely see this data reflected in conversations with our membership, particularly – but certainly not limited to – emergency and psychiatric nurses. In a 2022 survey jointly undertaken by ONA and the Oregon Emergency Nurses found that 70% of emergency department nurses in Oregon report having experienced an assault at work, 30% report having

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<sup>1</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8816837/>

<sup>2</sup> <https://www.healthcarefinancenews.com/news/two-nurses-assaulted-each-hour-average-data-shows>

been assaulted 1 to 3 times in the last year alone, and 12% report having been assaulted greater than 3 times in the past year.

#### Under reporting

However, reporting of workplace violence incidents is comparatively low. When our members speak to the reasons that they haven't officially reported assaults in the workplace, reasons vary.

Sometimes it's just that healthcare staff perceive that reporting doesn't lead to any improvements or changes at the employer level so "why bother," but more often, that they don't believe that any criminal justice intervention will occur due to many court backlogs in misdemeanor cases.

#### Criminal penalties

To see a charge for assault against a healthcare worker increased to a felony from a misdemeanor will not only increase the chance that the perpetrator will face consequences, but it also shows healthcare workers that they are not valued less than the workers for whom crimes against them is already a felony. ONA's members have been at the table with respect to who a charge can be brought against: ONA would prefer that the language spoke to the individual characteristics of individuals committing assaults against healthcare workers rather than providing an umbrella exemption regarding the facility that the person is being treated in.

#### Prevention and reporting measures

ONA members are assaulted on a regular basis. The criminal sanctions are appropriate, but prevention is the paramount goal. Our members greatly appreciate the inclusion of basic, common sense prevention measures including signage, privacy, inclusion in safety committee work, and the other components of a safe work environment that the proposed grant program will allow for. The reporting requirement will help to continue to understand, and thereby prevent, the scope and root causes of these offenses.

Thank you again for the opportunity to provide support and input on this important bill.

Sincerely,



Paige Spence