

## SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 537

By JOINT COMMITTEE ON WAYS AND MEANS

June 19

1 On page 2 of the printed A-engrossed bill, line 27, after “441.760” insert “, except for the Oregon  
2 State Hospital”.

3 Delete line 45.

4 Delete pages 3 and 4.

5 On page 5, delete lines 1 through 14 and insert:

6 “**SECTION 3.** ORS 654.414 is amended to read:

7 “654.414. (1) A health care employer, **in consultation with the employer’s workplace safety**  
8 **committee described in ORS 654.176**, shall:

9 “(a) Conduct periodic security and safety assessments to identify existing or potential [*hazards*  
10 *for assaults committed against employees*] **threats of workplace violence**;

11 “(b) Develop and implement [*an assault*] **a workplace violence** prevention and protection pro-  
12 gram for employees based on assessments conducted under paragraph (a) of this subsection; and

13 “(c) Provide [*assault*] **workplace violence** prevention and protection training on [*a regular and*  
14 *ongoing*] **an annual** basis for employees **and any contracted security personnel who work at the**  
15 **premises of the health care employer**.

16 “(2) An assessment conducted under subsection (1)(a) of this section shall include, but need not  
17 be limited to:

18 “(a) A measure of the frequency of [*assaults*] **workplace violence, including attempts of**  
19 **workplace violence, that are** committed against employees [*that occur*] on the premises of a health  
20 care employer or in the home of a patient receiving home health care services during the preceding  
21 five years or for the years that records are available if fewer than five years of records are avail-  
22 able; [*and*]

23 “(b) An [*identification*] **analysis** of the **root** causes and consequences of [*assaults*] **workplace**  
24 **violence committed** against employees[.], **including a plan for addressing the analyzed causes**;  
25 **and**

26 “(c) **Findings on the extent to which the security considerations described in subsection**  
27 **(3) of this section were implemented to mitigate risks of workplace violence**.

28 “(3) [*An assault*] **A workplace violence** prevention and protection program developed and im-  
29 plemented by a health care employer under subsection (1)(b) of this section shall **incorporate and**  
30 **implement a workplace violence prevention and response plan. The plan shall:**

31 “(a) Be based on an assessment conducted under subsection (1)(a) of this section. [*and shall*]

32 “(b) Address security considerations related to the following:

33 “[*a*] (A) Physical attributes of the health care setting;

34 “[*b*] (B) Staffing plans, including security staffing;

35 “[*c*] (C) Personnel policies;

1       “[(d)] (D) First aid and emergency procedures;

2       “[(e)] (E) Procedures for reporting *[assaults]* **incidents of workplace violence**; and

3       “[(f)] (F) Education and training for employees.

4       **“(c) Include policies and procedures for:**

5       **“(A) Conducting internal investigations of incidents of workplace violence that occur on**

6 **the premises of the health care employer.**

7       **“(B) Identifying employees involved in a workplace violence incident.**

8       **“(C) Conducting post-incident employee interviews for the purpose of gathering factual**

9 **details about an incident of workplace violence.**

10       **“(D) Implementing post-incident response strategies that address the provision of:**

11       **“(i) First aid or medical care to employees who have been injured in a workplace violence**

12 **incident; and**

13       **“(ii) Trauma counseling for employees affected by an incident of workplace violence.**

14       “(4)(a) *[Assault]* **Workplace violence** prevention and protection training required under sub-

15 section (1)(c) of this section shall address the following topics:

16       “(A) General safety and personal safety procedures, **including emergency response guidelines**

17 **that may be used to notify employees and contracted security personnel who work at the**

18 **premises of the health care employer of a threat or occurrence of workplace violence;**

19       **“(B) The meaning of workplace violence;**

20       “[(B)] (C) Escalation cycles for assaultive behaviors **and other violent or threatening behav-**

21 **iors;**

22       “[(C)] (D) *[Factors that predict assaultive behaviors]* **Predictive factors of workplace violence;**

23       “[(D)] (E) Techniques for obtaining medical history from a patient with assaultive **or other**

24 **threatening or violent** behavior;

25       “[(E)] (F) Verbal and physical techniques to de-escalate and minimize assaultive behaviors **and**

26 **threats of workplace violence;**

27       “[(F)] (G) Strategies for avoiding physical harm and minimizing use of restraints;

28       “[(G)] (H) Restraint techniques consistent with regulatory requirements;

29       “[(H)] (I) Self-defense, including:

30       “(i) The amount of physical force that is reasonably necessary to protect the employee or a third

31 person from assault; and

32       “(ii) The use of least restrictive procedures necessary under the circumstances, in accordance

33 with an approved behavior management plan, and any other methods of response approved by the

34 health care employer;

35       “[(I)] (J) Procedures for documenting and reporting incidents involving assaultive behaviors **and**

36 **incidents of workplace violence;**

37       “[(J)] (K) Programs for post-incident counseling and follow-up;

38       “[(K)] (L) Resources available to employees for coping with *[assaults]* **workplace violence;**

39 **[and]**

40       “[(L)] (M) The health care employer’s workplace *[assault]* **violence** prevention and protection

41 program[,], **including the health care employer’s internal investigation process for investigat-**

42 **ing incidents of workplace violence;**

43       **“(N) Visual cues and other methods that may be used to identify or notify employees**

44 **about individuals exhibiting behavioral indicators of workplace violence; and**

45       **“(O) Responding to active shooter incidents.**

1 “(b) A health care employer shall provide [assault] **workplace violence** prevention and pro-  
2 tection training to:

3 “(A) A new employee, **other than a temporary employee**, within 90 days of the employee’s  
4 initial hiring date.

5 “(B) **A temporary employee, within 14 days of the employee’s initial hiring date.**

6 “(c) A health care employer may use classes, video recordings, brochures, verbal or written  
7 training or other training that the employer determines to be appropriate, based on an employee’s  
8 job duties, under the [assault] **workplace violence** prevention and protection program developed by  
9 the employer.

10 “(d) **A health care employer shall ensure that a person with the appropriate knowledge**  
11 **and expertise is available to employees to answer questions and clarify any aspects of the**  
12 **workplace violence prevention and protection training through in-person interaction, phone,**  
13 **electronic mail or other reasonable means of communication.**

14 “(5) [At least once every two years] **Once a year**, a health care employer shall establish, in co-  
15 ordination with the health care employer’s workplace safety committee as described in ORS 654.176,  
16 a process by which the committee shall review the health care employer’s [assault] **workplace vi-**  
17 **olence** prevention and protection program developed and implemented under subsection (1)(b) of this  
18 section in order to evaluate the efficacy of the program and consider any changes to the program  
19 **that are necessary to promote the prevention of workplace violence.**

20 “(6)(a) **A health care employer shall provide to each employee and, if applicable, to the**  
21 **employee’s union representative, a written copy of the workplace violence prevention and**  
22 **response plan described under subsection (3) of this section, including a written statement**  
23 **explaining that an employee who reports an incident of workplace violence has a right to be**  
24 **protected from retaliation.**

25 “(b) **For newly hired employees, the health care employer shall provide the copy of the**  
26 **plan and the accompanying statement within 30 calendar days from the date of hire.”.**

27 On page 8, line 29, after “441.760” insert “, except for the Oregon State Hospital”.

28 In line 37, after “441.760” insert “, except for the Oregon State Hospital”.

29 On page 10, line 28, after “441.760” insert “, except for the Oregon State Hospital”.

30 On page 12, after line 15, insert:

## 31 32 “APPROPRIATIONS

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34 “**SECTION 14. In addition to and not in lieu of any other appropriation, there is appro-**  
35 **riated to the Oregon Health Authority, for the biennium beginning July 1, 2025, out of the**  
36 **General Fund, the amount of \$394,554, for the Public Health Division, to ensure compliance**  
37 **with the building and safety requirements under sections 9, 10, 12 and 13 of this 2025 Act and**  
38 **the amendments to ORS 441.096 by section 8 of this 2025 Act.”.**

39 In line 19, delete “14” and insert “15”.  
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