

New Law Requires Hospitals to Address Workplace Violence

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Hospitals have historically been regarded as safe spaces for patients, visitors, and health care workers, but this no longer seems to be the case – especially for health care workers. According to the U.S. Bureau of Labor Statistics, 16,890 workers were intentionally injured by another person in the workplace in 2016. 70 percent of those individuals worked in the health care and social services professions.

These sad statistics can best be demonstrated by the tragic November 19, 2018 shooting at Mercy Hospital in Chicago when a gunman opened fire at with the goal of killing his former fiancé, who was an emergency room physician. Only weeks before the hospital had held its first ever active shooter drill to prepare for such incidents. Though four people lost their lives that day, the training likely minimized the loss of life.

Illinois has taken it upon itself to reduce the risk of violence against health care workers. During the spring 2018 session, both chambers of the Illinois General Assembly unanimously passed the “Health Care Prevention Act” (“HCPA”), signed by Governor Bruce Rauner. As such, beginning January 1, 2019, Illinois hospitals will be required to comply with workplace violence training and safety requirements.

The HCPA outlines specific responsibilities and procedures for health care providers to ensure the safety of health care workers. **It requires health care providers to implement a workplace violence prevention program with clear goals and objectives for preventing workplace violence that complies with the Occupational Safety and Health Act (OSHA) guidelines.**

In order to comply with the HCPA, health care providers should consider including the following in their violence prevention programs:

- New policies and procedures and incident reviews
- Assessment of hazards facility wide
- Personal protective equipment such as alarm systems for staff
- Training all employees on workplace violence prevention and performing drills

PROFESSIONALS

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Partner

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- Recordkeeping of incidents and program evaluation

In addition to the above, the HCPA requires health care providers to post notices stating that verbal aggression will not be tolerated and physical assault will be reported to law enforcement. In the event that a workplace violence incident is initiated by a patient or visitor, employers will be required to offer immediate post-incident services to the health care worker who is directly involved. Furthermore, employers cannot discourage health care workers from contacting law enforcement or filing a police report due to a workplace violence incident. OSHA encourages employers to develop additional methods as necessary to protect all employees from violence in the workplace.

For more details on the new law, see the full text of the Health Care Violence Prevention Act.

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