

OPINION

Rebuttal: Take a stand against violence to health care workers and pass HB144 (Opinion)

Wayne Smith and Marcy Jack, Guest columnistsPublished 5:00 a.m. ET March 4, 2020
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[Unlike a recent opinion piece](#), we strongly support House Bill 144 and encourage Delaware senators to take a stand against violent assaults on health care workers by voting yes.

Currently, assaulting a doctor or nurse is considered a harsher offence than an assault against other types of health care workers. If a patient assaults a doctor and a certified nursing assistant at the same time, they may be charged under current law with a higher offense for striking the doctor than the same assault on the nurse assistant.

This is unfair and needs to be corrected as a matter of equity.



Marcy Jack is vice president and chief quality and safety officer for Beebe Healthcare *(Photo: Courtesy of the Delaware Healthcare Association)*

Health care workers have dedicated their lives to caring for others, yet they are more likely to face serious assault than in any other career.

The Occupational Safety and Health Administration reports that health care workers are four times more likely to experience serious workplace violence than in private industry on average. In addition, 75% of the workplace assaults reported annually happen in the health care or social services settings.

This is an alarming rate, given that many incidents go unreported as health care workers believe these attacks are just “part of the job.”



Wayne Smith is president and CEO of the Delaware Healthcare Association. *(Photo: Courtesy of the Delaware Healthcare Association)*

How bad is it? Delaware health care workers tell stories about being choked, punched in the face, kicked in the stomach, hit with medical equipment, stabbed, spit on, threatened and stalked, in addition to being verbally assaulted.

Like the rest of the nation, Delaware faces a health care worker shortage. Health care worker violence exacerbates this shortage. Violent attacks quickly lead to burnout, with many health care workers leaving their profession to choose a safer career.

Violence against health care workers is wrong and must stop.

Stopping attacks on health care workers takes a multi-pronged response.

[Karen Lantz and Jack Guerin are correct that hospital violence prevention programs are effective.](#) Delaware hospitals have strong violence prevention initiatives and support for staff to reduce and deescalate these dangerous and serious situations.

However, this is only one important component of what needs to be a comprehensive approach to protecting our health care workers.

Another tool to stop health care worker violence is deterrence. House Bill 144 would ensure that causing intentional injury against a person providing health care treatment or employed by a health care provider is considered assault in the second degree — a felony offense.

We would like to emphasize the word “intentional” as we feel strongly deterrence only works if someone is aware of the action and consequence and chooses to act violently anyway. This bill does not apply to patients that have mental or behavioral health issues.

HB 144 also provides equity in the protection of health care workers.

Current law rightly protects doctors, nurses and EMTs from violence by making an assault against them a felony. Unfortunately, current law does not provide the same protection for other health care workers who are in close contact with patients and their families and who are assaulted.

Such health care workers may include respiratory therapists, physical therapists, nursing assistants, patient safety attendants, and others. In most healthcare settings, these workers are more frequently in contact with patients than physicians with a corresponding greater risk of injury through violence.

HB 144 would ensure every health care worker is treated equally under the law.

HB 144 passed the House under the sponsorship of Rep. Bill Bush, Ruth Briggs King, Bill Carson, Kendra Johnson and Franklin Cooke with no opposition because Delaware representatives agreed this is a needed tool to address health care worker violence.

Hospitals and health care providers will continue to do our part. We need the support of the Delaware Senate. We hope the Delaware Senate will join Sen. Bruce Ennis and Gerald Hocker in supporting HB 144 to round out our comprehensive approach to protecting our health care workers.

Delaware's health care workers take care of us when we need them. It's time to take care of them by supporting HB 144.

— *Wayne Smith is president and CEO of the Delaware Healthcare Association. Marcy Jack is vice president and chief quality and safety officer for Beebe Healthcare*