

# HOUSE BILL ANALYSIS

## SSB 5312

**Brief Description:** Providing for the prevention of workplace violence in health care settings.

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**Sponsors:** Senators Costa and Deccio

**Hearing:** March 31, 1999

### Brief Summary of Bill

Health care employers, including hospitals, mental health evaluation and treatment facilities, home care agencies, and community mental health programs, must develop and implement workplace violence protection programs.

### BACKGROUND:

Studies show that violence in the workplace is a significant cause of occupational injury and death. Health care facilities in particular are the sites of consistent amounts of workplace violence. According to the Department of Labor and Industries data, social workers, nursing aides, and orderlies are assaulted more often and in greater numbers than any other occupation. From 1992 to 1995, social services and health services accounted for 51% of assault-related claims. The top five most violence-prone industries involve psychiatric care and nursing care. Psychiatric hospitals had the highest rate of assault of any industry, averaging 90 injuries per 1,000 workers over the four-year period.

### SUMMARY OF BILL:

Health care employers, including hospitals, mental health evaluation and treatment facilities, home care agencies, and community mental health programs, must develop and implement workplace violence protection programs.

Each health care employer must conduct a security and safety assessment to identify existing or potential hazards. The assessments must include determining the frequency, causes, and

consequences of violent acts committed at the work site in the past five years, or for a lesser period if data is unavailable to a home health, hospice or home care agency. The employer must determine the appropriate preventive action to take to address the identified hazards.

After completing the assessment, and no later than July 2000, health care employers will develop and implement plans to reasonably prevent and protect employees from violence. The plans will address the hazards identified in the assessments. Specifically, the plans must contain security provisions related to the physical work environment, staffing, personnel policies, first aid and emergency procedures, reporting procedures, and training and education. In developing such plans, consideration must be given to any relevant guidelines issued by government agencies or private accrediting organizations.

In addition, by July 2001 and regularly thereafter, each health care employer must provide violence prevention training to its employees. The content of the training is specified. An employer's training program must address those topics that are appropriate to the particular workplace setting and the duties of the particular employees being trained.

Beginning no later than July 2000, each health care employer must keep records of any violent acts committed at the workplace. The minimum information to be recorded is specified. The department has access to the records, which must be preserved for five years.

Enforcement of these requirements is according to present Washington Industrial Safety and Health Act citation rules. Employers failing to comply with the requirements of the bill may be cited by the department. The department is to be flexible in enforcing the workplace violence prevention requirements for home health, hospice and home care agencies since they operate in informal and non-facility based settings.

The health care employers covered by the bill include hospitals, home health, hospice and home care agencies, mental health evaluation and treatment facilities, and community mental health programs.

The bill does not apply to sporadically employed or temporary employees.

**RULES AUTHORITY:** The bill does not contain provisions addressing the rule making powers of an agency.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of a session in which bill is passed.