

SENATE BILL REPORT

SB 6682

As Reported By Senate Committee On:
Human Services & Corrections, February 3, 2000

Title: An act relating to workplace safety in state hospitals.

Brief Description: Developing a workplace safety plan for state hospitals.

Sponsors: Senators Costa, Winsley and Kohl-Welles; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Human Services & Corrections: 2/1/2000, 2/3/2000 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6682 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Sheahan, Stevens and Zarelli.

Staff: Fara Daun (786-7459)

Background: Employees of the Washington state hospitals face high rates of workplace violence, as evidenced by worker's compensation claims. The violence is often related to the nature of the patients served, who are both mentally ill and too dangerous or gravely disabled to be treated in the community. The behavior of these patients is often driven by elements of their mental illness and not by rational processes. There is concern that additional training and appropriate safeguards may be necessary to minimize the violence and risk and to provide a reasonably safe and secure environment for both employees and patients.

Summary of Substitute Bill: Each state hospital must conduct a security and safety assessment to identify existing or potential hazards in the workplace. Using the assessment, each state hospital must develop a plan by November 1, 2000, to reasonably prevent and protect employees from violence at the hospital. The state hospitals must implement the plan by January 1, 2001. Each state hospital must provide workplace violence prevention training to affected employees by July 1, 2001, and regularly thereafter. The employee must have the workplace violence training in addition to other ongoing training and prior to assignment to a patient unit. Each state hospital must keep records of any violent act against an employee or patient beginning no later than July 1, 2000, and maintain the records for five years. Failure to comply subjects the hospital to citation under state labor laws. The Department of Social and Health Services (DSHS) must provide an interim report July 1, 2000, a copy of the completed plan November 1, 2000 and report annually on its progress to reduce workplace violence in the state hospitals.

Substitute Bill Compared to Original Bill: The substitute bill includes more specificity in what the security assessment and plan must include, requires staff input to the plan, includes attempted assaults in the definition of violence, includes more specificity in the training requirements, shifts the implementation date for training to July 1, 2001, broadens the scope of the reporting to include acts of violence that do not cause injury, and requires DSHS to report regularly to the Legislature.

Appropriation: None.

Fiscal Note: Requested on January 28, 2000.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: State hospitals have the worst rate of violence-related workers' compensation claims. They are very dangerous places to work and were exempted from legislation last year. This bill makes changes that eliminate the fiscal concern from last year's bill. The bill is needed to assist Labor and Industries to hold the state hospitals accountable. Nurse was one of six brutally attacked by a person trying to escape. Three people are still not back to work. She was disabled when struck 10-15 times with a fiberglass rod while at the nurses station. She tried to call for help but the phone was knocked from her hand. There were no personal alarms or panic buttons. The hospital has made some of the recommended changes following this attack, but more needs to be done. An average of 27 employees per month lose work time due to violence. This results in \$785,000 per year in time-loss and assault benefits, not including costs associated with replacement staff. This bill forces DSHS to recognize the epidemic of workplace injuries at the state hospitals.

Testimony Against: None.

Testified: Pat Terry, Acting Director, Mental Health Division, DSHS (pro); Ellie Menzies, SEIU (pro); Edith Harlow, R.N., Western State Hospital (pro); Bev Hermanson, Washington Federation of State Employees (pro).