

SENATE BILL REPORT

2SHB 1162

As Reported by Senate Committee On:
Labor & Commerce, March 21, 2025
Ways & Means, April 7, 2025

Title: An act relating to preventing workplace violence in health care settings.

Brief Description: Concerning workplace violence in health care settings.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Leavitt, Schmidt, Berry, Ryu, Macri, Bronoske, Pollet, Nance, Timmons, Ormsby and Hill).

Brief History: Passed House: 3/5/25, 97-0.

Committee Activity: Labor & Commerce: 3/18/25, 3/21/25 [DPA-WM, DNP].
Ways & Means: 4/03/25, 4/07/25 [DPA (LC), w/oRec].

Brief Summary of Amended Bill

- Requires a health care setting to conduct a timely investigation of every workplace violence incident.
- Requires a health care setting to conduct a comprehensive review and update its workplace violence prevention plan at least once per year.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Saldaña, Chair; Conway, Vice Chair; King, Ranking Member; Alvarado, Braun, MacEwen, Ramos and Stanford.

Minority Report: Do not pass.

Signed by Senator Schoesler.

Staff: Jarrett Sacks (786-7448)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Labor & Commerce.

Signed by Senators Robinson, Chair; Stanford, Vice Chair, Operating; Trudeau, Vice Chair, Capital; Frame, Vice Chair, Finance; Gildon, Ranking Member, Operating; Torres, Assistant Ranking Member, Operating; Dozier, Assistant Ranking Member, Capital; Braun, Cleveland, Conway, Dhingra, Hansen, Hasegawa, Kauffman, Muzzall, Pedersen, Riccelli, Saldaña, Wagoner, Warnick, Wellman and Wilson, C..

Minority Report: That it be referred without recommendation.

Signed by Senator Schoesler, Ranking Member, Capital.

Staff: Monica Fontaine (786-7341)

Background: Washington Industrial Safety and Health Act. Under the Washington Industrial Safety and Health Act (WISHA), an employer must provide a workplace free from recognized hazards. The Department of Labor and Industries (L&I) administers WISHA. Certain industries have specific rules or laws relating to violent incident prevention, including health care setting-specific requirements for violence prevention that include requiring a hazard assessment, a workplace violence prevention plan, training for employees, and recordkeeping relating to violent incidents.

Workplace Violence Plan. Every three years, each health care setting must develop and implement a plan to prevent and protect employees from violence at the setting. The health care setting's safety or workplace violence committee must develop, implement, and monitor progress on the plan. The plan must outline strategies aimed at addressing security considerations and factors that may contribute to or prevent the risk of violence, including:

- the physical attributes of the health care setting, including security systems, alarms, emergency response, and security personnel available;
- staffing, including staffing patterns, patient classifications, and procedures to mitigate employees' time spent alone working in areas at high risk for workplace violence;
- job design, equipment, and facilities;
- first aid and emergency procedures;
- the reporting of violent acts;
- employee education and training requirements and implementation strategy;
- security risks associated with specific units, areas of the facility with uncontrolled access, late night or early morning shifts, and employee security in areas surrounding the facility such as employee parking areas; and
- processes and expected interventions to provide assistance to an employee directly affected by a violent act.

Each health care setting must annually review the frequency of incidents of workplace violence, including causes and any emerging issues that contribute to workplace violence, and adjust the plan as needed.

Recordkeeping of Workplace Violence. Each health care setting must keep a record of any violent act against an employee, patient, or visitor occurring at the setting. Each record must be kept for at least five years and available for inspection by L&I. The record must include:

- the health care setting's name and address;
- the date, time, and specific location at the health care setting where the act occurred;
- the name, job title, department or ward assignment, and staff identification or Social Security number of the victim, if an employee;
- whether the person against whom the act was committed was as a patient, visitor, employee, or other;
- whether the person committing the act was a patient, visitor, employee, or other;
- a description of the type of violent act;
- a description of any weapon used;
- the number of employees in the vicinity of the act when it occurred; and
- a description of actions taken by employees and the health care setting in response to the act.

Violations of the statutes related to workplace violence in health care settings are subject to citations under WISHA.

Health care settings include:

- hospitals;
- home health, hospice, and home care agencies;
- evaluation and treatment facilities;
- behavioral health programs; and
- ambulatory surgical facilities.

Workplace violence means any physical assault or verbal threat of physical assault against an employee of a health care setting on the property of the health care setting and includes any physical assault or verbal threat of physical assault involving the use of a weapon, including a firearm, or a common object, regardless of whether the use of a weapon resulted in an injury.

Summary of Amended Bill: A health care setting must conduct a timely investigation of every workplace violence incident. The investigation must review the incident for factors contributing to or causing workplace violence, including:

- the details of the incident, such as the date, time, location, and nature of the conduct and harm;
- the details of any response and related remediation to prevent future incidents; and
- if applicable, a comparison of the actual staffing levels to the planned staffing levels at the time of incident.

Health care settings must submit a summary to their safety or workplace violence committee of the following:

- the records collected for each incident and the findings of any investigations during the relevant time period, with any personal information deidentified in compliance with state and federal law;
- an analysis of any systemic and common causes of the workplace violence incidents; and
- any relevant recommendations for modifying the workplace violence prevention plan.

Summaries must be provided quarterly. However, the following entities must provide the summaries biannually:

- critical access hospitals;
- hospitals with fewer than 25 acute care beds in operation;
- certain sole community hospitals; and
- hospitals located on an island operating within a public hospital district in Skagit County.

Health care settings must conduct a comprehensive review and update of workplace violence prevention plans at least once per year. Any updates to the plan must take into account the findings and recommendations of the quarterly report on workplace violence incidents required by the bill.

EFFECT OF LABOR & COMMERCE COMMITTEE AMENDMENT(S):

- Corrects a cross-reference.
- Changes a reference from "reports" to "summaries," to align the language with previous changes to the bill.

Appropriation: The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2026.

Staff Summary of Public Testimony on Second Substitute House Bill (Labor & Commerce): *The committee recommended a different version of the bill than what was heard.* PRO: Workplace violence has increased over the last few years and we need to keep health care workers safe. This bill ensures the safety plans are living documents and that lessons are learned from the incidents. Nurses are assaulted at a high rate and their assaults are underreported. Assaults on health care workers can exacerbate the problem of worker shortages and having enough staff for coverage. The bill is a good start, but an annual report in the bill is not frequent enough and the bill should have stronger employee protections.

Persons Testifying (Labor & Commerce): PRO: Representative Mari Leavitt, Prime Sponsor; Josef Mansour, WA; Jessica Hauffe, Washington State Nurses Association; Brad Rathke, Washington State Nurses Association; Remy Kerr, Washington State Hospital Association.

Persons Signed In To Testify But Not Testifying (Labor & Commerce): PRO: Maurya Robinson, Washington State Nurses Association.

Staff Summary of Public Testimony on Bill as Amended by Labor and Commerce (Ways & Means): PRO: This will address workplace violence that has become too common, especially in emergency environments. Emergency environments are the highest risk for health care workers who are subjected to violence daily. Workplace violence places more strain on an already strained system. Staff should not have to fear for their safety and should be able to focus on providing care. Staff are constantly worried about their safety, and it is relieving to see systems increasing safety. This policy is crucial for the health care workforce and would take legislation passed in 2019 to the next natural step.

OTHER: Violence happens daily, and there is little recourse to address it once an act is committed. Current policies are not enough, and employers need to do more. This bill will hold employers accountable.

Persons Testifying (Ways & Means): PRO: Leah Matheson; Jessica Hauffe, Washington State Nurses Association; Remy Kerr, Washington State Hospital Association; Sana Hoque.

OTHER: Maggie McLaughlin.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.