

The Issue

For the past several years, the health care field has experienced a sharp increase in workplace violence. The COVID-19 pandemic placed significant stress on the entire health care system, and in some situations, patients, visitors and family members have attacked health care staff and jeopardized our workforce's ability to provide care. This rise in workplace violence has shown no indication of subsiding. Hospitals, health systems and their staff support enactment of a federal law that would protect health care workers from violence and intimidation, just as current federal law protects airline and airport workers.

Background

Hospitals and health systems have long had robust protocols to detect and deter violence against their team members. However, violence against hospital employees continues to increase.

Day after day, the media reports on patients or family members assaulting hospital staff, sometimes with deadly consequences. For example, in Georgia a patient grabbed a nurse by the wrist and kicked her in the ribs.¹ A nurse in South Dakota was thrown against a wall and bitten by a patient.² A medical student in New York who came from Thailand was called "China Virus," kicked and dragged to the ground, leaving her hands bleeding and legs bruised.³

Data supports these news reports. A Press Ganey survey found that on average, two nurses are assaulted every hour in the U.S., and according to a report by the American College of Emergency Physicians, two out of three emergency department physicians reported being assaulted in 2022. One-quarter of them report being assaulted multiple times a week. Workplace violence has severe consequences for the entire health care system. Not only does violence cause physical and psychological injury for health care workers, but workplace violence and intimidation make it more difficult for nurses, physicians and other clinical staff to provide quality patient care. Nurses and physicians cannot provide attentive care when they are afraid for their safety, distracted by disruptive patients and family members, or traumatized from prior violent interactions. In addition, violent interactions at health care facilities tie up valuable resources and can delay urgently needed care for other patients. Studies show that workplace violence reduces patient satisfaction and employee productivity and increases the potential for adverse medical events.

AHA Take

Despite the incidence of workplace violence and its harmful effects on our health care system, no federal law protects health care employees from workplace assault or intimidation. By contrast, there are federal laws criminalizing assault and intimidation against airline employees, and Attorney General Merrick Garland has directed Department of Justice prosecutors to prioritize prosecutions under that statute given the rise in violent behavior on commercial aircraft during the COVID-19 pandemic. Vigorous enforcement of these federal laws creates a safe traveling environment, deters violent

behavior and ensures that offenders are appropriately punished. Our nation's health care workers who have tirelessly helped care for and treat the sick and dying while facing increased violence — especially during the last two years of the pandemic — deserve the same legal protections as airline workers. Congress should enact the bipartisan Safety from Violence for Healthcare Employees (SAVE) Act (H.R. 2584/S. 2768), which provides protections similar to those for flight crews, flight attendants and airport workers.

The SAVE Act would make it a federal crime to knowingly assault an individual employed by a hospital while performing their duties, and as a result, interfere with the performance of those duties. The bill would impose fines, imprisonment or both for assaulting a hospital employee. The legislation includes an exemption if the crime results from mental illness; in other words, if a patient, family member or visitor assaults a health care worker because of his/her behavioral health issue, that person could not be prosecuted.

¹ Shoshana Ungerleider and Sarah Warren, Nurses get spit on, kicked, assaulted. Stop hurting us. We are here to help you, USA Today (Jan. 10, 2022), [usatoday.com/story/opinion/voices/2022/01/10/covid-nurses-assaulted-pandemic/](https://www.usatoday.com/story/opinion/voices/2022/01/10/covid-nurses-assaulted-pandemic/)

² Bart Pfankuch, Rising anger and violence toward health care workers hampering patient care in South Dakota, Argus Leader (Feb. 28, 2022), argusleader.com/story/news/2022/02/28/

³ Sydney Pereira, 'White Coats Don't Protect Us:' Asian Health Care Workers Speak Out Against Rise in Hate Crimes, Gothamist (Apr. 22, 2021), gothamist.com/news/white-coats-dont-protect-us-asian-health-care-workers-speak-out-against-rise-in-hate-crimes