

MaineHealth

Testimony of Michael R. Baumann, MD, FACEP Chair, Department of Emergency Medicine

Maine Medical Center

In Support of LD 1199

“An Act To Protect The Safety Of Health Care Workers”

April 3, 2019

MaineHealth Member Organizations:

Franklin Community Health
Network

LincolnHealth

MaineHealth Care At Home

Maine Behavioral Healthcare

Memorial Hospital

Maine Medical Center

NorDx

Pen Bay Medical Center

Southern Maine Health Care

Synernet

Waldo County General Hospital

Western Maine Health

Part of the MaineHealth Family:

MaineHealth Accountable Care
Organization

MaineHealth Affiliates:

MaineGeneral Health

Mid Coast-Parkview Health

New England Rehabilitation
Hospital of Portland

St. Mary's Health System

Senator Deschambault, Representative Warren and distinguished members of the Joint Standing Committee on Criminal Justice and Public Safety, I am Dr. Mike Baumann, Chair of the Department of Emergency Medicine at Maine Medical Center, and I am here to testify in strong support of LD 1199, “An Act To Protect The Safety Of Health Care Workers.”

MaineHealth is Maine’s largest integrated non-profit health care system that provides the full continuum of health care services to the residents of eleven counties in Maine and one in New Hampshire. Every day, MaineHealth’s 19,200 employees work tirelessly to support our vision of “Working together so our communities are the healthiest in America,” by providing safe, high-quality care. As acts of violence against healthcare workers continue to rise, the commitment our frontline staff make to caring for all in need comes with more risk.

Despite maintaining a culture of safety, we have seen acts of violence against healthcare workers steadily increase in all settings of our hospitals, not just the emergency department. In fact, 58% of the reported acts of violence within the MaineHealth system occur in the inpatient setting. Moreover, reported acts of violence have increased almost 16% in the past four years. There is no one reason that we can point to to account for this increase. Studies have attributed acts of violence to stressful conditions, such as long wait times, being given “bad news,” and domestic disputes.

As medical providers, we took an oath to “do no harm.” Because of this, we often put our own safety and health at risk to help a patient, and I’ve heard from countless colleagues that they consider violence to be “part of the job.” In medical school, we are not taught to fear our patients and when a patient strikes a provider, it can be an incredibly traumatic experience. My colleagues that have been physically hurt by violent patients struggle with a lack of trust of patients and a fear of future unprovoked attacks.

Currently, it is a Class C crime to commit an act of violence against a healthcare worker providing emergency medicine. LD 1199 would simply expand this heightened protection to all employees of a hospital engaged in the provision of

care for a patient or a prospective patient, regardless of where in the hospital they are providing this care.

Assault in Maine is considered a Class D crime and must be witnessed by a law enforcement officer to arrest without warrant. For my colleagues that have been assaulted by a patient in a hospital setting other than the emergency department, it can be even more traumatic to learn that after pressing charges, the crime was not pursued by the District Attorney. To them, it feels like a consequence-free crime.

It is important to note that this legislation explicitly states that a person is guilty of this crime only if that person intentionally, knowingly or recklessly causes bodily injury. Let me be clear. Our hospitals are committed to caring for individuals with substance use disorders and behavioral health needs. In fact, over the last three years, MaineHealth has invested millions of dollars in the development of a comprehensive strategy to address the opioid crisis ravaging our state and we continue to advocate before the Legislature for adequate and sustainable funding to help repair and rebuild our state's broken behavioral healthcare system. It is not our intent to press charges against these vulnerable patients, but instead, our intent is to raise awareness that there are consequences for patients that intentionally, knowingly or recklessly commit an act of violence against the very same people that are providing medical care.

For those reasons, I urge the Committee to vote Ought to Pass on LD 1199, "An Act To Protect The Safety Of Health Care Workers." Thank you and I would be happy to answer any questions you may have.