

2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 121

BY REPRESENTATIVE DUSTIN MILLER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to convene a healthcare workplace violence task force in furtherance of House Concurrent Resolution No. 60 of the 2019 Regular Session of the Legislature.

WHEREAS, the incidence of nonfatal workplace violence against healthcare workers increased sixty-two and one half percent from 2011 to 2018 as shown by the United States Bureau of Labor Statistics; and

WHEREAS, the healthcare and social service industries experience the highest rates of injuries caused by workplace violence and are five times more likely to suffer a workplace violence injury than workers overall; and

WHEREAS, healthcare workers accounted for seventy-three percent of all nonfatal workplace injuries and illnesses due to violence in 2018; and

WHEREAS, in 2018, the U.S. Bureau of Labor Statistics reported the rate of nonfatal occupational injuries and illnesses involving days away from work resulting from an intentional injury caused by a fellow worker in the private healthcare and social assistance industry was ten and four tenths per ten thousand full-time workers, increasing fifty-eight and three tenths percent from 2011 to 2018; and

WHEREAS, in 2019, the Legislature of Louisiana considered and passed House Concurrent Resolution No. 60 addressing workplace violence in healthcare and social services; and

WHEREAS, in compliance with that Resolution, the Louisiana Health Works Commission, with assistance and guidance from the Nursing Supply and Demand Council and the Department of Children and Family Services and others, did study and make recommendations concerning potential policy changes, including but not limited to potential

legislation for creating safer workplace environments in this state for physicians, nurses, and social service workers, including workers employed by the department; and

WHEREAS, the Louisiana Health Works Commission was directed to submit a written report of the recommendations called for in House Concurrent Resolution No. 60 of the 2019 Regular Session to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Labor and Industrial Relations, and the Senate Committee on Labor and Industrial Relations on or before February 1, 2020; and

WHEREAS, the submitted report offered recommendations that include:

(1) Developing a broadly executed strategy of education and outreach aimed at the public to raise awareness to the growing issue of workplace violence.

(2) Providing a comprehensive listing of existing best practices, toolkits, and resources that can be made widely available statewide, that defines the various forms of workplace violence and identifies discrete steps healthcare organizations and social service agencies can take to prevent workplace violence and provide practical processes, policies, and training resources to prevent harm to our vulnerable healthcare and social service workforce.

(3) Exploring possible legislation that would strengthen criminal protection and create more appropriate, stronger penalties against those individuals responsible for violent acts against healthcare workers and social service workers of all types.

(4) Reviewing current data-gathering and reporting methodologies used by healthcare organizations and making recommendations that will assist those organizations without creating an unnecessary or undue reporting burden.

(5) Encouraging the legislature to secure the appropriate initial and ongoing funding necessary to execute the above-mentioned recommendations and sustain those efforts going forward; and

WHEREAS, the legislature finds that workplace violence in health care is an important public health issue and is also a growing concern at the national level.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to create the Healthcare Workplace Violence Task Force, hereafter referred to as the "task force".

BE IT FURTHER RESOLVED that the task force shall be staffed by the Louisiana Department of Health and charged with advising the secretary of the department on its recommendation regarding the development and implementation of healthcare workplace violence initiatives throughout the state of Louisiana.

BE IT FURTHER RESOLVED that the task force shall be composed of the following members:

(1) One Senate member appointed by the chairman of the Senate Committee on Health and Welfare.

(2) One House member appointed by the chairman of the House Committee on Health and Welfare.

(3) The secretary of the Louisiana Department of Health.

(4) The secretary of the Department of Children and Family Services.

(5) The executive director of the Louisiana State Board of Nursing.

(6) The executive director of the Louisiana State Board of Medical Examiners.

(7) The president of the Louisiana State Nurses Association.

(8) The president of the Louisiana Association of Nurse Practitioners.

(9) The chairman of the Louisiana Organization for Nursing Leadership.

(10) The president of the Louisiana Hospital Association.

(11) The chairman of the Nursing Supply and Demand Council.

(12) The executive director of the Louisiana State Medical Society.

(13) One member representing the Louisiana Chapter of the American Psychiatric Nurses Association.

(14) One member representing the Louisiana Chiefs of Police Association.

(15) The president of the Louisiana Sheriffs' Association.

(16) One member representing the judiciary appointed by the chief justice of the Louisiana Supreme Court.

BE IT FURTHER RESOLVED that the task force shall be charged with advising the secretary of the Louisiana Department of Health on its recommendation regarding the development and implementation of healthcare workplace violence prevention and mitigation initiatives throughout the state.

BE IT FURTHER RESOLVED that the task force shall convene its first meeting, to be held at the Louisiana Department of Health in Baton Rouge, no later than October 1, 2021. At the first meeting, the members of the task force shall elect a chairman and vice chairman and other officers as they deem appropriate.

BE IT FURTHER RESOLVED that the members of the task force shall not be compensated for their services on the task force but may seek travel reimbursement from their respective agencies under their respective guidelines.

BE IT FURTHER RESOLVED that meetings of the task force shall be subject to the Open Meetings Law R.S. 42:11 et. seq., and records of the task force shall be subject to the Public Records Law, R.S. 44:1 et. seq.

BE IT FURTHER RESOLVED that the duties of the task force shall continue and be guided by recommendations from the House Concurrent Resolution No. 60 of the 2019 Regular Session subcommittee workgroup of the Nursing Supply and Demand Council.

BE IT FURTHER RESOLVED that the task force shall submit updates to the Senate and House committees on health and welfare on progress towards recommendations regarding the development and implementation of healthcare workplace violence initiatives throughout this state.

BE IT FURTHER RESOLVED that the first report shall be provided to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the speaker of the House, and the president of the Senate at least forty-five days prior to the convening of the 2022 Regular Session.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health, the secretary of the Department of Children and Family Services, the executive director of the Louisiana State Board of Nursing, the executive director of the Louisiana State Board of Medical Examiners, the president of the Louisiana State Nurses Association, the president of the Louisiana Association of Nurse Practitioners, the chairman of the Louisiana Organization for Nursing Leadership, the president of the Louisiana Hospital Association, the chairman of the Nursing Supply and Demand Council, the executive director of the Louisiana State Medical Society, the president of the Louisiana Chapter of the American Psychiatric Nurses Association, the

executive director of the Louisiana Chiefs of Police Association, the president of the Louisiana Sheriffs' Association, and the chief justice of the Louisiana Supreme Court.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE