

# MEMORANDUM OF SUPPORT

**A3103**

**By Assemblyman Koon**

## **AN ACT to amend the penal law, in relation to assault on registered nurses**

The New York State Nurses Association supports the above referenced bill, introduced at our request, which would add attacks on Registered Nurses (RNs) or Licensed Practical Nurses (LPNs) to the same class of assault as attacks on police officers, firefighters, and Emergency Medical Technicians (EMTs). Current law recognizes the importance of the work of police officers, firefighters, and EMTs by punishing assaults on them more harshly than assaults on the general public. While RNs and LPNs are also vital to the public welfare, the law does not protect nurses as it protects other first responders. This bill would provide RNs and LPNs with protections recognizing their important contribution to protecting the public.

According to the U.S. Department of Justice, nearly 500,000 nurses per year are victims of violent crimes in the workplace. There is more than 1 assault per 1,000 healthcare workers. In 2000, 48% of all nonfatal injuries from violent acts against workers occurred in the healthcare sector. RNs and LPNs suffer the highest proportion of these injuries. In a recent study of staff nurses, 46% experienced one or more types of violence in the last five shifts worked and nearly 20% of the staff reported experiencing a physical assault, defined as being spit on, bitten, hit or pushed, in the past five shifts. The frequency with which nurses are assaulted has led to an accepted and inappropriate belief that violence is to be expected in a healthcare environment and should be considered "part of the job."

Unfortunately, individual nurses have very little influence over the level of violence or the safeguards in their workplaces. Hospitals have many characteristics that create an unsafe working environment. The general public has unrestricted movement through facilities. Gang members, drug or alcohol abusers, trauma patients, mentally ill patients and distraught family members are often present. Hospitals are often understaffed, which leads to isolated work with patients during exams or treatment. Shift work often requires nurses to arrive and leave hospitals during darkness, increasing the risk of assault. Additionally, nursing is a female-dominated profession that has not been considered as dangerous as traditionally male-dominated professions, such as police and firefighters. This perception has led to the establishment of more rigorous safety procedures and different legal protections for police and firefighters than for nurses.

Because of the inherent dangers that RNs and LPNs face in simply trying to do their jobs, the prevalence of violence against healthcare personnel, and the importance of the services that RNs and LPNs provide, NYSNA strongly urges passage of this legislation to add attacks on Registered Nurses (RNs) or Licensed Practical Nurses (LPNs) to the same class of assault as attacks on police officers, firefighters, and EMTs.