

On the Frontlines: Addressing Workplace Violence in Health Care

Policy, Advocacy and the Path Forward In Massachusetts

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- Every 36 minutes, a worker in a Massachusetts Hospital is subject to an act of violence or a threat.
- In 2024, 68 percent of MARN's surveyed statewide said they had experienced at least one violent incident in the prior two years, up from 57 percent in 2019
- 25% of nurses surveyed report they do not feel safe at work



<https://www.tvinsider.com/people/katherine-lanasa/>

Historical Perspective

10/30/2002 Executive Order #442 Acting Governor Jane Swift

- Workplace definition limited to state property/business
- Broad Definition of Workplace violence”
 - intimidation or threats
 - physical assault and/or battery
 - causes the disruption of workplace productivity
 - Violent behavior can include actions or communication in person, by letter or note, telephone, fax, or electronic mail.
- State Agencies directed to “Zero Tolerance” Policy Development

<https://www.mass.gov/executive-orders/no-442-establishing-a-policy-of-zero-tolerance-for-workplace-violations>

Historical Perspective

4/27/2009 Executive Order #511 Governor Duval Patrick

- Established Massachusetts Employee Safety and Health Advisory Committee
- Did not focus on workplace violence
- Created infrastructure
- State Agencies alignment with OSHA standards

<https://www.mass.gov/executive-orders/no-511-establishing-the-massachusetts-employee-safety-and-health-advisory-committee>

Historical Perspective

4/2013 Chapter 3 of the Acts of 2013

- EOHHS violence prevention and crisis response plan for social workers and human services workers

2/2015 1.01 CMR 19.0 – Regulatory Response

- A clear definition of workplace violence.
- Procedures for reporting incidents and threats.
- Protocols for crisis response and follow-up.
- Available resources for victims and perpetrators.
- A prohibition on retaliation against employees for reporting incidents.

<https://www.mass.gov/info-details/implementing-human-service-workers-safety-regulations>



A bill is introduced by a member of the House or Senate



It is referred to a committee by the House Speaker or the Senate President



It is read a first time, amended, and then read a second time



It is read a third time, members debate and then vote on the bill



Legislature may vote to override the veto, and the bill becomes law without the Governor's approval



If passed, the bill is signed into law or vetoed by the Governor



With the Speaker or the President....



If passed, the bill is sent to the second chamber where the process repeats

<https://youtu.be/OgVKvqTltto>

2009–186th (2009-2010)

S. 988 An Act requiring health care employers to develop and implement programs to prevent workplace violence

2011–187th (2011-2012)

S. 1237 An Act requiring health care employers to develop and implement programs to prevent workplace violence

2013–188th (2013-2014)

S. 1187 An Act requiring health care employers to develop and implement programs to prevent workplace violence

2015–189th (2015-2016)

S. 1187 An Act requiring health care employers to develop and implement programs to prevent workplace violence

2017 –190th (2017-2018)

H 1007/S1374 An Act requiring health care employers to develop and implement programs to prevent workplace violence (Elise's law)

2019 –191st (2019-2020)

H 1416 An Act requiring health care employers to develop and implement programs to prevent workplace violence (MNA)

H 1976/S1093 An Act requiring health care facilities to develop and implement programs to prevent workplace violence (MHA)

Joint committee on [Public Safety and Homeland Security](#) sponsored a compromise bill H 4689 An Act requiring health care employers to develop and implement programs to prevent workplace violence

2019–191st (2019-2020)

HB1578 /SB838 An Act strengthening the penalty for assault or assault and battery on an emergency medical technician, ambulance operator, ambulance attendant or health care provider

Chapter 265, Section 13I.

Whoever commits an assault or an assault and battery on an emergency medical technician, an ambulance operator, an ambulance attendant or a health care provider as defined in section 1 of chapter 111, while the technician, operator, attendant or provider is treating or transporting a person in the line of duty, shall be punished by imprisonment in the house of correction for not less than 90 days nor more than 2 and one-half years or by a fine of not less than \$500 nor more than \$5,000, or both.

<https://www.mass.gov/doc/6217-assault-and-battery-on-an-emergency-medical-technician-ambulance-operator-or-attendant-or-health-care-provider-gl-c-265-ss-13i/download>

2021 –193rd (2021-2022)

H 2465/S1605 An Act requiring health care employers to develop and implement programs to prevent workplace violence

H 2506/S1603 An Act requiring health care facilities to develop and implement programs to prevent workplace violence

Joint Committee on Public Safety and Homeland Security sponsored a compromise bill H 4574 An Act requiring health care employers to develop and implement programs to prevent workplace violence.

House Bill: 2465 - MNA	House bill: 2506 - MHA	Differences
DPH is references to provide standard	DPH to develop statewide standard to evaluate risk for WPV	Bill 2465 does not state that the DPH will develop standard but notes that the risk assessment will be based on these standards.
Annual review of risk assessment based on the standard developed by DPH	Employer to develop and implement program based on DPH standards	Bill 2506 does not specify how often an assessment is to be done
Stated "employer shall develop program based on assessment.	senior management to oversee development of program	
Employer that violated rules, regulation or requirement shall be fined \$2,000/ offence	criminal penalties for assault and battery; Jail ≤ 5 yrs. or Fine \$500- 5,000 or combination	Bill 2465 holds employer responsible, Bill 2506 hold perpetrator liable
may take > 7days/ 12month of paid leave to seek victim services or legal assistance	unpaid time off to seek victim services, legal services or legal assistance	Paid vs. unpaid leave to seek victim services, legal services/assistance
Shall post in a conspicuous place staff rights and responsibilities in at least 12 languages. Employee must be notified of these right within 30 of the onset of their employment	Facility shall notify staff or rights & responsibilities	Bill 2465 must keep posted and tell staff upfront whereas Bill 2506 must tell the victim

2023 –194th (2023-2024)

S1539 / H2330 An Act requiring health care employers to develop and implement programs to prevent workplace violence

H2381/S1538 An Act requiring health care facilities to develop and implement programs to prevent workplace violence

H2330 Joint Committee on Public Safety and Homeland Security reported favorably by committee and referred to the committee on Health Care Financing

H2381 Joint Committee on Public Safety and Homeland Security reported favorably by committee and referred to the committee on Health Care Financing

Political Pressure
Competing Priorities
Lack of Consensus

2024 –195th (2025-2026)

H.2655/S.1718 Workplace Violence: An Act requiring health care employers to develop and implement programs to prevent workplace violence.

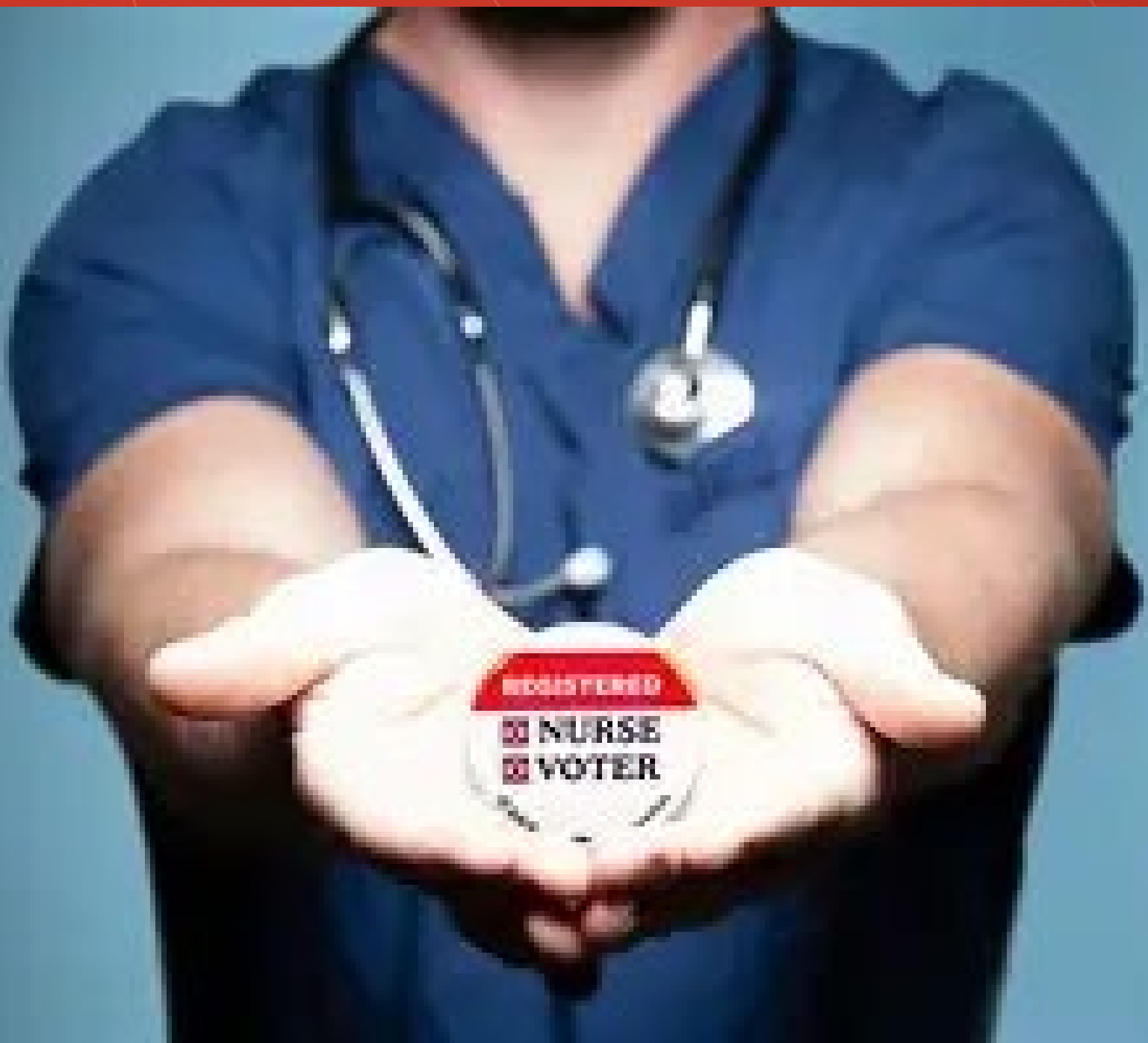


Leaders from the
Massachusetts Health &
Hospital Association
(MHA), the
Massachusetts Nurses
Association (MNA), and
1199 SEIU Massachusetts
delivered testimony in
united support of ***An Act
Requiring Health Care
Employers to Develop and
Implement Programs to
Prevent Workplace
Violence (H.2655/S.1718).***

- Requires all Massachusetts hospitals to develop a facility-specific risk assessment and then use that assessment to implement a comprehensive program to reduce the risk of workplace violence.
- Engages the workforce in developing the assessment/program that includes worker training and provides a formal written violence prevention plan available upon request.
- Establishes strong enforcement through DPH licensing, regular reporting, and job protections for affected workers that include additional paid leave for assaulted workers.

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Nurses Learn,
Nurses Volunteer,
Nurses Advocate...
Nurses Vote

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