



NAEMT OSHA Healthcare Workplace Violence Comment

For Docket No. OSHA 2016-0014, requesting comment to the following items:

- *The scope of the problem in healthcare and social assistance—frequency of incidents of workplace violence, where those incidents most commonly occur, and who is most often the victim in those incidents;*
- *The common risk factors that could be addressed;*
- *Interventions and controls that data show are working already in the field;*
- *The efficacy, feasibility and cost of different options.*

EMS is an entry point into the healthcare system for many patients. EMS practitioners interact with the public in a manner that is unique from other healthcare providers. In other healthcare environments providers interact with individual patients, perhaps with one or two family members or friends. EMS practitioners may find themselves in situations with several bystanders in a variety of emotional states. The National Association of Emergency Medical Technicians (NAEMT) and other national EMS organizations have worked on the problem of violence against EMS practitioners primarily in three areas: increasing and improving the tracking of incidents, increasing legal protection of EMS practitioners through legislation or regulation at the state level, and workplace violence prevention training.

In 2005, NAEMT conducted a survey of its members which reported that 52% of respondents had been assaulted on the job.¹ Other services report that 90% of their EMS workers have been a victim of violence on the job at least once in their career.² Another large metropolitan service reported 79% of their EMS practitioners had been assaulted on the job in the last 5 years.³ These alarming statistics have forced many EMS agencies to begin addressing this issue as a recognized hazard and have treated violence against EMS practitioners under OSHA's General Duty Clause.

Improved Tracking

In 2013, NAEMT worked with other national EMS organizations to expand the industry operated EMS Voluntary Event Notification Tool (<http://event.clirems.org>) to include a reporting tool for violence against EMS practitioners. This new tool was developed in response to growing anecdotal evidence of increasing violence against EMS with the hope that additional information could be collected to gain insight into this problem and help identify solutions. In 2013, 51 violent incidents were reported on the EVENT report tool, 25 in 2014, 39 in 2015, and 30 in 2016.⁴

While the EVENT tool is capturing only a small portion of violent events that occur in EMS, the reports that are collected expose many areas for improvements in primary prevention of violent events, risk-management strategies during the assaults, and post-incident follow-up reporting. NAEMT recommends

that all national and state EMS organizations and EMS agencies place greater emphasis on the use of reporting tools such as EVENT.

Legal Protections

NAEMT's position statement published in August 2015 on Violence against EMS Practitioners noted that 42 states have some type of increased criminal penalties for those who have assaulted EMS practitioners while performing their duties⁵. Efforts have been made by EMS associations in the remaining states to increase penalties. Some states have even attempted to add EMS practitioners to the list of protected classes when it comes to hate crime legislation.⁶ Other states have also attempted to add penalties to assailants who attack public safety officers off-duty when the attack is related to performing their jobs.^{7, 8}

However, reports from the EVENT tool as well as some of the EMS violence mitigation training being offered to EMS practitioners suggests that incidents of violence against EMS practitioners that are reported to the police are not resulting in arrests and prosecutions with the enhanced penalties. There is a growing concern among those that are assaulted that violence is considered "just part of the job," when law enforcement do not follow through with arrests and prosecutions of attackers.

Workplace Violence Prevention Training

NAEMT offers an 8-hour EMS Safety course to address a variety of EMS safety issues, including a section on practitioner safety on the scene that includes practical methods of increasing situational awareness and improving practitioners' response to violent encounters.⁹ Much of the subject matter in the section on protection from violence was derived from the Dt4EMS Escaping Violent Encounters course. This course focuses on improving providers' situational awareness of potentially violent scenes and provides practical skills-based learning opportunities on how to respond when attacked.¹⁰

Additional Comments

The murder of FDNY EMT Yadira Arroyo in March of 2017 is just one event that has garnered national attention and generated a lot of discussion on the risks of modern-day EMS and violence in medicine. While violence against EMS has been steadily rising over the years, very few agencies provide adequate risk-mitigation strategies to front-line employees. NAEMT remains committed to the standards published in NAEMT's EMS Practitioner Bill of Rights that all practitioners have the right to work in a safe and healthy workplace.¹¹ We strongly urge OSHA to continue evaluating this issue and work with industry leaders in developing effective workplace-violence prevention programs.

1 <http://www.emsworld.com/article/10323499/naemt-four-in-five-medics-injured-on-the-job>

2 Pozzi C. Exposure of prehospital providers to violence and abuse. J Emerg Nurs. 1998;24(4):320–3.

3 Mabrey, Tammy. Indianapolis EMS, survey of providers October 2015.

4 <http://event.clirems.org/Provider-Violence-Event>

5 <file:///E:/NAEMT/position-on-violence-against-ems-practitioners.pdf> Adopted August 14, 2015

6 <https://www.richmondsunlight.com/bill/2017/hb1398/fulltext/>

7 <http://www.therepublic.com/2017/03/28/az-xgr-blue-lives-matter/>

8 <http://www.wthr.com/article/lawmakers-propose-legal-protection-for-public-safety-workers>

9 <http://www.naemt.org/education/EMSSafety.aspx>

10 <http://dt4ems.com/about-us/>

11 <http://www.naemt.org/docs/default-source/advocacy-documents/positions/10-10-14-ems-practitioner-and-patient-bill-of-rights.pdf?sfvrsn=2> Adopted October 10, 2014