



February 25, 2021

Dear House Judiciary Committee:

MNA fully supports--HB 565- “AN ACT REVISING ASSAULT LAWS; CREATING THE CRIME OF ASSAULT ON A NURSE; AND PROVIDING PENALTIES AND A DEFINITION”:

My name is Vicky Byrd, MSN, RN. I am a Montana Registered Nurse (RN) of 32 years and the CEO of the Montana Nurses Association (MNA). MNA’s professional nurse membership is extremely grateful and appreciative of Representative Mercer bringing forward HB 565 to address assault on nurse while on duty.

MNA is the recognized leader and advocate for the professional nurse in Montana. MNA is the nonprofit state professional nurses association representing the voice of nearly 3000 Registered Nurses (RNs) in Montana including more than 150 licensed as Advanced Practice Registered Nurses (APRNs). MNA is the recognized professional organization, which lobbies for nursing practice issues to protect the practice of professional nurses and also protect the public in all areas of health care. MNA promotes professional development, nursing practice, standards, and education; represents professional nurses; and provides nursing leadership in promoting high quality healthcare, safety, and overall public health.

An MNA campaign titled: “*Your Nurse Wears Combat Boots*” was launched in 2015 to improve workplace safety in healthcare. Nurses from across the state recognize this epidemic of violence and know there is a need to address this issue through legislation, education, and cultural changes.

Violence in the hospital settings against healthcare workers has increased 110% nationally. According to a report published by the MT Dept. of Labor & Industry (2016), Montana healthcare assault rates ranked higher than the national averages. This is costly to the nurse, the healthcare worker, the employer, and the State of Montana.

We know we can make a difference through legislation, education, and culture change. Being assaulted while on duty is not a part of our jobs. Nurses are a large part of the healthcare workforce that faces more on-the-job violence than any other sector in the American economy and the incidence of violence has been on the rise for years, now exacerbated by the COVID-19 crisis. These incidents are predictable and mostly preventable, and it’s time we ensure legislation to take one of the steps needed that we know will help to avoid assaults. This is driven by the very workers (nurses) who are most at risk with rising rates of workplace violence.



This remains the number one issue for nurses across the state of Montana. MNA is member driven professional nurse association and over 290 nurses (about 10% of our professional nurse membership) signed a petition, February 2021, directing and encouraging MNA to continue efforts to address violence in the healthcare workplace.

Nurses from all over our state working in critical access, clinics, homecare, long term care, and large hospital facilities responded on our survey and I wanted to share with you, in addition to all the larger cities and towns that employ a larger number of nurses like Miles City, Sidney, Helena, East Helena, Missoula Bozeman, Havre, Hamilton, Kalispell, Dillon, Great Falls, and Billings, nurses from our rural (and very rural) areas such as Marion, Ballantine, Huntley, Lolo, Arlee, Huson (population 56), Alberton Bigfork, Lavina, Worden, Chinook, Libby, Hall, Circle, Kremlin (population 66), Corvallis, Browning, Florence, also responded and signed the petition asking for their voice to be heard through MNA for this important legislation.

Highlights from MNA's ongoing campaign "Your Nurse Wears Combat Boots"

- It is not a part of a nurse's job to be assaulted while on duty. They are not armed like police officers or trained security guards.
- Many nurses across the state have shared and continue to share their assault stories while on duty, our lobbyist provided you with three stories today.
- Assaulted nurses, who are injured while on duty, contribute to the increasing workers compensation rates and have significant economic impact on Montana families and employers.
- Assault on a nurse resulting in injury while on duty is 100 % a workers compensation issue.

There is already assault legislation on the books?

- There is and it is not working!
- Nurses and other workers in the healthcare and social assistance industry are injured at work more often than any other industry group in the United States.
- Healthcare and social assistance workers are the most assaulted workers in the nation, accounting for almost 60 percent of violent assaults in the workplace.
- A Montana police dog is afforded legislative protection against assault in the workplace; however, nurses, do not have this protection while on duty. Graphic also provided.
- Even with **severe underreporting**, MT nurses and healthcare workers accounted for the greatest proportion of workplace injuries as a result of assault, ranking higher than that of manufacturing, retail, and construction.



More than Just Legislation!

- Legislation change: increased penalty and awareness will provide powerful deterrent.
- Education change: MNA nurses continue partnering with our healthcare facilities (MHA {Montana Hospital Association} has submitted a letter to the House Judiciary Committee supporting HB 565) to assist in developing more robust safety education and more aggressive safety and reporting strategies. MNA nurses continue to educate our lawmakers and elected officials that this is an issue worthy of your attention and support. Protect those nurses who protect you.
- Culture change: Being assaulted while on duty is **Not a Part of the Job**—MNA and nurses across the state will no longer tolerate violence of any kind from any source.

MNA continues work with local, state, and national stakeholders to address safety in the workplace, moreover, continues to push for federal and state OSHA standards to contribute to a much needed legislation, educational, and cultural change.

Please vote YES on HB 565, your nurses deserve this legislative protection.

Respectfully,

Vicky Byrd, MSN, RN
CEO, MNA
vicky@mtnurses.org
406-459-2915