



TO: Rep Patton, Chair  
House Judiciary Committee

FROM: Abbey Cotter  
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St. Joseph Campus  
Ascension Via Christi Hospitals Wichita

SUBJECT: Testimony in support of HB 2023

DATE: January 23, 2023

Chairman Patton and members of the committee, thank you for the opportunity for Ascension Via Christi to provide testimony in support of HB 2023, which would increase criminal penalties for interfering, threatening, and assaulting Kansas healthcare workers.

For more than 130 years, Ascension Via Christi has served members of the Kansas community and is currently the largest provider of healthcare services throughout Wichita and central Kansas, including hospitals, doctors, and specialty clinics. As one of the leading non-profit and Catholic health systems in the U.S., Ascension is committed to delivering compassionate, personalized care to all, with special attention to persons living in poverty and the most vulnerable in our community. Unfortunately, our front line caregivers and staff are facing increased threats and acts of physical violence and verbal abuse.

Today, we are averaging one to two assaults on our associates per day. Sadly, this is not a new issue, and we know it is also underreported. This trend is not unique to Ascension or Kansas. The American Hospital Association has noted that during the COVID-19 pandemic, 44% of nurses reported experiencing physical violence and 68% reported experiencing verbal abuse.

Over the past two years, Ascension and other healthcare systems have implemented an array of measures to manage this crisis: develop comprehensive workplace violence plans, provide de-escalation training to healthcare workers, implement screening processes for known-violent patients, and provide emergency panic buttons to staff. Despite extensive planning, violence against Kansas healthcare workers has still increased over the years. Violence in the workplace is on the rise in Kansas and around the country where violence against healthcare personnel increased from 6.4 incidents per 10,000 workers in 2011 to 10.4 in 2018 nationwide. These numbers will continue to rise if the proper deterrents are not put in place.

In caring for behavioral health patients, nurses interact frequently with patients who can be impulsive and unpredictable resulting in even the best behavioral health nurses struggling to defend themselves.

However, patients who are mentally competent cause significant harm to nurses. This was the case for a nurse at our hospital who faced an unprovoked, intentional act from a mentally competent patient. This nurse was beaten over the head, had hair ripped from her scalp, and scratches breaking skin across her chest. Four additional staff members separated the patient from the nurse, taking away staff resources from other patients who desperately needed care. Ironically, the nurse was admitted to the emergency department of the same hospital where she worked. This attack resulted in this nurse missing many days of work, and eventually she left her tenured career due to the trauma she endured. This patient, despite the horrifying violence, was charged with a misdemeanor, and only faced a maximum of one-year in jail and \$2,500 fine.



As the law stands now, patients face a felony for causing property damage greater than \$1,000; if they violently assault their caregiver, they face only a misdemeanor. As a behavioral health nurse, I cannot count how many times I have been asked something like, "How many of you do I have to hit before I'll be arrested and can get out of here?" This small percentage of patients understand the minimal consequences of their violence and act with impunity.

The vast majority of our patients are not violent, and we manage them safely, and they very much appreciate the compassionate care we provide. However, when a small number of patients are able to cause significant disruption to care delivery and jeopardize the safety of our associates, we must take the steps to mitigate this violence not just for the sake of our hospitals and staff, but for the greater good of every Kansan. That is why I am asking the committee to pass this bill and help protect my colleagues and me from facing this type of danger.