

September 18, 2019

Representative John Spiros  
Room 212 North  
State Capitol  
PO Box 8953  
Madison, WI 53708

RE: Wisconsin Nurses Association Support of AB 175/SB 163

Dear Chairperson Spiros and members of the Assembly Committee on Criminal Justice and Public Safety. My name is Gina Dennik-Champion. I am a Registered Nurse and Executive Director of the Wisconsin Nurses Association (WNA). WNA is the professional nurses association with membership that is open to any Wisconsin RN. I am here today to register WNA's support of AB 175 and the companion bill SB 163. This legislation will apply a current standard penalty for battery to nurses regardless of the setting where they work.

Thank you Chairperson Spiros for holding a public hearing on this very important issue as it relates to supporting nurse safety while delivering care to their patients. I would also like to recognize two very special legislators, Senator Kooyenga and Representative Magnafici for sponsoring this legislation. Thank you both very much.

The U.S. Department of Labor defines workplace violence as an action (verbal, written, or physical aggression) which is intended to control or cause, or is capable of causing, death or serious bodily injury to oneself or others, or damage to property. Workplace violence includes abusive behavior toward authority, intimidating or harassing behavior, and threats. There is a current Wisconsin Statute 940.20 (7) which was created in 1995. The statute created a criminal penalty for causing battery to emergency personnel that include nurses. The penalty for causing battery to a nurse in the emergency room is a Class H Felony. If found guilty, the perpetrator can be incarcerated up to six years and/or charged a \$10,000 fine. Class H Felony's are also applied to cases of battery against, correctional officers, fire fighters, commission wardens, probation related workers, jurors, public offices, court and law enforcement personnel, and employees of the Wisconsin Departments of Revenue, Safety and Professional Service, and Workforce Development.

Instances of workplace violence against nurses have gone beyond the emergency room. Incidents are regularly taking place on other units of hospitals, same day surgery, ambulatory care, primary care, long term care, home care, hospice, and employer based clinics. According to a report published by the American Nurses Association one in four nurses are assaulted while on the job. This data is similar to WNA's research. It is important to note that one common theme in all of these reports is that the majority of nurses did not report the incident.

Reasons for not reporting include the belief that assaults are part of the job and/or the belief that their report will not be investigated and acted upon. This is why workplace violence against nurses is also referred to as the “Silent Epidemic”.

WNA views this legislation can serve as a means of empowering nurses to report incidents because of the penalty and, it can also be used to help defuse a situation by sharing the criminal penalty that can result from inappropriate behavior.

On behalf of WNA I want to thank you for allowing me to present the issue of workplace violence. This legislation is not the only solution to addressing this issue. Other strategies are needed to be implemented and WNA and others are working on this. What I can say is nurses want to deliver safe care but it can be difficult to do if they do not feel safe.

I respectfully request on behalf of WNA that this bill be voted out of the committee as soon as possible so we can support Wisconsin’s 105,000 nurses and the 60,000 certified nurse assistants we supervise.

I will gladly answer any questions you may have.