

# ENA ADVOCACY EFFORTS AND THE STATE OF PLAY REGARDING WORKPLACE VIOLENCE



**Terry M. Foster, MSN, RN, CCRN, TCRN, CPEN, CEN, FAEN**

I don't have to tell anyone reading this column about the increasing incidence of violence seen in our emergency departments. At times, incivility seems to be at an all-time high. I'm not sure if this is pandemic related or not. Not too long ago, we were "health care heroes" (a name I never felt completely comfortable with), and it seems in a short amount of time, emergency nurses were gradually back to being threatened and assaulted.

We've all seen news videos of terrible violent acts occurring in restaurants against food service workers and even on airlines against flight attendants. Those actions, which some of us see on an almost daily basis, cannot be recorded in the emergency department (although it would speak volumes about the workplace violence we endure!).

If you're walking through the grocery and someone approaches you in a hostile manner, threatens you, and then assaults you, charges can be brought and pursued against that perpetrator. Why do we seem to often lose that right simply because we clock in to work? I have heard all too often that "it comes with the job!" This is an appalling and pathetic response to a national crisis. Emergency nurses should never be discouraged from pressing charges, although this has often been the case.

In conjunction with Robert Kramer, Emergency Nurses Association's (ENA) Director of Government Relations, we want to update you on our very active presence in combating workplace violence.

At the federal level, ENA's advocacy efforts related to workplace violence help augment our work to support a

healthy work environment by supporting two separate bills in the U.S. Congress. First is the Workplace Violence Prevention for Health Care and Social Service Workers Act. We are currently working to support reintroduction of the bill in both chambers of Congress. In the previous Congress, the bill passed the House of Representatives by a 254-166 bipartisan vote. However, it failed to gain traction and move in the Senate. The bill, which is a longstanding ENA priority, would require the U.S. Occupational Safety and Health Administration (OSHA) to develop and implement a national standard that would require hospitals and other health care employers to implement workplace violence prevention plans in their facilities.

ENA also supports the Safety from Violence for Health Care Workers Act to provide federal penalties for assaulting health care workers. This bill has not been reintroduced in this session of Congress, but reintroduction is expected soon.

On the regulatory front, ENA is closely monitoring activity at OSHA, which has signaled that a workplace violence national standard is a top priority. ENA met with OSHA in July 2022 to discuss these topics. OSHA is expected to release a proposed workplace violence rule later this year.

At the state level, ENA monitors workplace violence legislation at the state level that would enhance criminal penalties for those convicted of assaulting emergency nurses while at work. ENA also supports legislation that would compel health care facilities to develop, implement, and maintain workplace violence prevention plans. Recent victories related to this effort include the passage of new laws in New Hampshire, Arizona, Wisconsin, Utah, and Maryland.

Regarding workplace violence at the state level, approximately 31 states allow for those who assault emergency nurses to be charged with felony offenses, and approximately 11 states have enacted workplace violence prevention laws, including Arizona, California, Connecticut, Illinois, Maryland, Minnesota, Maine, New Hampshire, New Jersey, Oregon, and Washington.

I can assure you that the ENA Board of Directors, staff, and our fellow members are there to support you in these efforts. No emergency nurse should ever have to feel alone and isolated after a workplace assault. We, the ENA, stand with you!

## Author Disclosures

Conflicts of interest: none to report.

---

Terry M. Foster is a President, Emergency Nurses Association, Schaumburg, IL. For correspondence, write: Terry M. Foster, MSN, RN, CCRN, TCRN, CPEN, CEN, FAEN, Emergency Nurses Association, 930 E. Woodfield Road, Schaumburg, IL 60173; E-mail: [terry.foster@board.ena.org](mailto:terry.foster@board.ena.org)

J Emerg Nurs 2023;49:309.  
0099-1767

Copyright © 2023 Emergency Nurses Association. Published by Elsevier Inc. All rights reserved.

<https://doi.org/10.1016/j.jen.2023.02.004>