

**AGENDA**  
**Augusta 3, 2022**

**9:00 am**      **WELCOME AND INTRODUCTIONS** (co-chairs)

**09:20 am**      **BACKGROUND INFORMATION** (OPLA Staff)

1. [RESOLVE 2021, CH. 173](#)
2. EXISTING CRIMINAL STATUTES & RELEVANT LEGISLATIVE HISTORY  
17-A MRSA §§ 207, 209, 752-C
3. OTHER STATES CRIMINAL STATUTES (NCSL material)
4. National Efforts:
  - H.R. 1195 - Workplace Violence Prevention For Health Care and Social Service Workers Act ([H. Report 117-14](#))
  - National Efforts, [AHA letter to DOJ 03.24.22](#) urging DOJ to: prioritize prosecution; and support legislation modeled on [49 USC §46504](#) (interference with flight crew/attendants)

**09:40 am**      **INCIDENTS OF VIOLENCE IN HEALTHCARE SETTINGS**

1. MDOL – Victor Tardiff, Director, Research & Statistics Division
2. MHA – Lisa Harvey McPherson, VP, Government Relations, Northern Light Health & Katie Fullam Harris, Chief Government Affairs Officer, MaineHealth
3. RPC & DDPC - DHHS, written only

**10:15 pm**      **DATA: ASSAULT ON AN EMERGENCY MEDICAL CARE PROVIDER<sup>1</sup>:  
CHARGED / PROSECUTED / SENTENCED**  
JUDICIAL BRANCH DATA - Hon Andrew Robinson

**10:30 am**      **REGULATORY OVERVIEW – STATE, FEDERAL & ACCREDITATION AGENCIES**

1. MDOL, PUBLIC AND PRIVATE FACILITIES - Steven Greeley, Director, Workplace Safety and Health
  - MDOL Oversight of Public Healthcare Facilities
  - OSHA Oversight of Private Healthcare Facilities – General Duty Clause<sup>2</sup> & OSHA Guidelines<sup>3</sup>

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<sup>1</sup> [17-A MRSA §752-C](#)

<sup>2</sup> [29 USC §654](#)

<sup>3</sup> [OSHA Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers 2015](#)

## Task Force to Study the Process for Brining Criminal Cases in Situations of Violence Against Healthcare Workers

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2. DLC, PRIVATE FACILITIES - Bill Montejo, Director
  - Applicable Federal laws & regulations
  - State Laws & Regulations, including [22 MRSA §1832](#)
  - The Joint Commission<sup>4</sup> & Other Accreditation Agency Standards
3. PROVIDER Perspective – Jeff Austin, VP Government Affairs, Maine Hospital Association

### **11:30 pm CRIMINAL INVESTIGATION AND PROSECUTION**

1. COMPLAINTS & INVESTIGATIONS, Chief Jared Mills
2. PROSECUTION, Deputy District Attorney Frayla Tarpinian and Brendan Trainor
3. COURT'S PERSPECTIVE, Hon. Andrew Robinson
4. PROVIDERS' PERSPECTIVE, Jeff Austin, VP Government Affairs, Maine Hospital Association
5. HIPAA Implications [45 CFR §164.512](#) (Hospital Counsel & Prosecutors)

### **LUNCH BREAK (1 hour)**

### **01:30 pm DISCUSSION & NEXT STEPS (Task Force Members)**

1. MEMBERS' PERSPECTIVE
2. WHAT ARE WE MISSING?
3. NEXT MEETING AGENDA
  - Materials and presentations
  - Public comment?

### **3:00 pm ADJOURN**

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<sup>4</sup> [The Joint Commission Standards](#) effective 01/01/22