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## COMMENTS OF THE MAINE HOSPITAL ASSOCIATION

### In Support Of

**LD 1119** - *An Act to Clarify the Criminal Statutes with Regard to Assaults on Emergency Medical Services Persons*

**April 24, 2023**

Senator Beebe-Center, Representatives Salisbury and members of the Criminal Justice and Public Safety Committee, my name is Jeffrey Austin and I am presenting this testimony in support of LD 1119 on behalf of the Maine Hospital Association.

The Maine Hospital Association (MHA) represents all 36 community-governed hospitals including 33 non-profit general acute care hospitals, 2 private psychiatric hospitals, and 1 acute rehabilitation hospital.

I want to thank Senator Bennet and all the co-sponsors for bringing this bill forward. I also want to thank all of the members of the task force who spent their valuable time on this issue.

There is no single solution to the persistent problem of violence against hospital workers. We wish there were. However, this is a major problem and one that needs public policy attention.

This bill clarifies a point of confusion that was discussed among law enforcement and prosecutors during the task force.

Current law covers “*emergency medical care providers*” who are defined in law as “*hospital personnel **assisting** in an emergency.*” See the stricken language in lines 10-13 in section 1.

The point of confusion is whether hospital employees such as security guards, janitors, administrative staff or others who are physically in the emergency room are “***assisting***” in an emergency. Some law enforcement and prosecutors thought yes, others thought not.

This legislation clarifies the issue by removing the hospital setting from current law entirely (section 1 of the bill) and creating a new provision specifically for hospital personnel in section 2 of the bill.

Despite the fact that there are more assaults against healthcare workers than any other workers, there are very few cases brought today under this statute and there is no credible argument that there will be too many more.

However, clarity on this point is needed. Thank you for your consideration of this legislation.