



## **TITLE: INCIDENTS OF WORKPLACE VIOLENCE AND ASSAULT OF WESTERN CONNECTICUT HEALTH NETWORK EMPLOYEE**

### **PURPOSE:**

To establish a protocol in compliance with Connecticut General Statute Section 19a-490, Assault of Health Care Employee wherein WCHN is mandated to report an assault or related offense against an employee to local law enforcement even if the employee does not want the incident reported and/or ultimately chooses not to press charges.

### **POLICY:**

As a health care employer, Western Connecticut Health Network is mandated by law to make reports of any act by patients which constitutes an assault or related offense upon an employee acting in the performance of his/her duties, to the local law enforcement agency within 24 hours of occurrence. In carrying out its legal obligation, WCHN must provide the name and address of the employee and the patient to the police.

### **PROCEDURE:**

On-Site Occurrence:

Call 55 or activate Code Grey for immediate Security assistance.

Notify your Supervisor.

If you are injured, seek medical treatment immediately.

Submit an Employee Injury Report and an Occurrence Report as soon as possible.

If the incident involves a patient, a clinical assessment by a physician or mid-level provider must be performed to determine if the action was a direct consequence of the patient's condition or disability, and thus, not intentional.

If the incident is deemed to have been intentional, WCHN is mandated to report the employee's name and address, as well as the name and address of the patient, to local law enforcement. The police will then contact the employee to obtain additional information and to determine whether the employee wishes to file a criminal complaint against the patient.

WCHN, as a matter of policy, will not interfere with the lodging of a criminal complaint by a crime victim. However, the employee's release of patient information to the police must be compliant with HIPAA and state law. The employee should seek the guidance

of WCHN's Privacy Officer to determine the nature and scope of the patient information that may be released to the police.

Security will attempt to identify and detain the person(s) who has/have committed the assault. If the person(s) has/have left the Hospital, Security will investigate in an effort to determine identification.

Security will assist the victim in filing a criminal complaint and will submit a WCHN Police Report Form for incidents involving patients (see below). The original Report will be submitted to the Police. Copies of the Report will be retained by Security and Risk Management.

#### OFF-SITE OCCURRENCE: CALL 911 FOR IMMEDIATE ASSISTANCE

1. Notify Security by calling 797-7999. A security supervisor is available to respond and assist the victim in filing a criminal complaint, if requested.
2. Refer to and follow On-Site Occurrence procedure as noted above.

#### **GUIDELINE:**

Patient behavior that is a direct consequence of the patient's condition or disability shall not be considered intentional physical abuse or threatening and should not be reported to local law enforcement.

The Hospital, as per Connecticut General Statute Section 19a-490, is mandated to report an assault or related offense against an employee to local law enforcement even if the employee does not want the incident reported and/or ultimately chooses not to press charges.

In addition to the mandated reporting of workplace violence by WCHN as outlined above, any employee or member of the Medical Staff may choose to report acts of violence by patients, visitors or co-workers to the police and may decide whether or not to press criminal charges. Any employee or member of the Medical Staff who does decide to press charges shall be assisted by WCHN in the identification and prosecution of the assailant to the extent reasonably possible. In pressing charges, the employee or member of the Medical Staff's release of patient information to the police must be compliant with HIPAA and state law. The employee should seek the guidance of WCHN's Privacy Officer to determine the nature and scope of the patient information that may be released to the police.

#### **DEFINITIONS:**

Generally, criminal assault is defined by three types of conduct: intentionally causing physical injury to another; recklessly causing serious physical injury to another; and criminally negligent conduct causing physical injury to another by means of a deadly weapon or dangerous instrument.

#### **REFERENCE:**



Health Care Employer: Report of assault or related offense to local law enforcement agency (to be filed within 24 hours after the occurrence of the act)

Pursuant to Connecticut General Statute Section 19a-490a, Western Connecticut Health Network hereby files this report with the local Police Department arising out of an incident of violence by a patient against the employee named below while acting within the performance of his/her duties:

Date of Incident: \_\_\_\_\_ Date of Report: \_\_\_\_\_  
Danbury Hospital \_\_\_\_\_ New Milford Hospital \_\_\_\_\_ Norwalk \_\_\_\_\_  
If offsite (name of facility) \_\_\_\_\_

Name and address of injured party:

\_\_\_\_\_  
\_\_\_\_\_

Name and address of perpetrator:

\_\_\_\_\_  
\_\_\_\_\_

Security Officer \_\_\_\_\_

\*The original Report will be submitted to the Police. Copies of the Report will be retained by Security and Risk Management.

**ORIGINATOR:**  
**DATE OF INCEPTION:**  
**REVISION DATE:**  
**LATEST REVIEW DATE:**  
**APPROVED BY:**

**SECURITY DEPARTMENT**  
**01/02/2014**  
**07/09/2015**  
**07/09/2015**  
**VP FACILITIES**