



Vol. 66, Issue 21

Thursday, May 26, 2022

WHA Voices Concerns Over Federal Legislation Expanding OSHA Hospital Regulations

In a May 20 letter to Wisconsin U.S. Sen. Tammy Baldwin, WHA President and CEO Eric Borgerding voiced concerns over legislation she recently introduced to expand federal Occupational Safety and Health Administration regulations on hospitals.

In the letter, Borgerding noted WHA's appreciation for Sen. Baldwin casting light on the very real and growing problem of violence health care workers have been facing in hospitals and other health care facilities. While health care workers have for some time faced higher rates of violence in the workplace compared to other settings like construction, manufacturing and retail, WHA members have reported that instances have only increased under the stress of the COVID-19 pandemic.

In response to this, WHA has [championed bipartisan legislation that successfully passed the State Legislature and was recently signed into law by Gov. Tony Evers](#). The new legislation enhances penalties for acts of violence, and even credible threats of violence made towards health care workers. And perhaps more importantly, it provides a new tool for health care workers to display signage and issue warnings to patients with escalating behavior that they will face stiff consequences—something that will hopefully tamp down on this behavior before it intensifies into violence.

Borgerding cautioned that while WHA appreciated Baldwin's recognition of this issue and shared goal of reducing harm to health care workers, the new legislation creating new OSHA regulations requiring hospitals to develop and implement a comprehensive workplace violence prevention plan "would be overburdensome from a regulatory and compliance standpoint without accomplishing the intended benefit." Borgerding cited a Congressional Budget Office estimate of an earlier version of this legislation projecting it would add at least \$2.7 billion in costs during the first year and at least \$1.3 billion each year thereafter. WHA cited the tremendous burden this would add to hospitals in light of a new [report](#) released by the American Hospital Association highlighting dramatic increases in input costs such as labor, supplies and prescription drugs.

"Instead of additional regulation, we urge federal policy makers to focus on the dissemination of best practices that show proven reduction of workplace violence and that can be easily emulated in various health care settings. For instance, WHA has held member education sessions to help hospitals understand tools they can utilize for reducing workplace violence," said Borgerding.

"Additionally, federal policymakers should renew their commitment to addressing the root causes of violence, which is often unaddressed behavioral health care needs. While Wisconsin hospitals and health systems devote significant resources toward such efforts, these vital services continue to be significantly underfunded at the federal level by both Medicare and Medicaid. Improving reimbursement models for these services would significantly enhance our ability to expand access to vital behavioral health services that will have a lasting impact on reducing violence," Borgerding added.

WHA is continuing to monitor this legislation. While it passed the U.S. House of Representatives in April 2021, it does not currently appear to have support to move in the Senate, which [objected](#) to a motion made by Sen. Baldwin in early May to fast-track the bill out of committee for a vote on the Senate floor. Contact WHA Vice President of Federal and State Relations [Jon Hoelter](#) with questions.