



Cal/OSHA's Impending Workplace Violence Prevention Regulations

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Agenda

- Review proposed Workplace Violence Prevention Program (WPVP) Regulations
- Discuss hospital preparation
- Preview CHA resources





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Proposed WPVP Regulations

Elements

- · Creating and maintaining a WPVP
- Identifying management with responsibility for administering
- Coordinating with other employers of employees working at your site
- · Identifying and evaluating safety and security risks
- Investigating violent incidents
- · Correcting hazards
- · Communicating with employees and others
- Training
- Reporting to Cal/OSHA
- Recordkeeping
- Program Review

Proposed WPVP Regulations Estimated Timeline

- Aug. 26, 2016: Third Version Proposed Regulation is Released
- Sept. 12, 2016: 15-day Comment Period Closes
- Oct. 20, 2016: Proposed Regulations Presented to Cal/OSHA Standards Board for Review and Approval
- Jan. 1, 2017: Effective Date (assuming adoption by Cal/OSHA Standards Board no later than Oct. 30, 2016)
 - Per current version Violent Incident Log,
 Recordkeeping and Hospital Reporting would be required to be in place as of Jan. 1, 2017; remainder in place as of Jan. 1, 2018

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Proposed Scope

Scope

- Health facilities including hospitals, long-term care, intermediate care, congregate care, correctional treatment center, psychiatric hospital
- Home health care and home based hospice
- Emergency medical services and medical transport, including those services when provided by firefighters and other emergency responders
- Drug treatment programs
- Outpatient medical services to the incarcerated in correctional and detention settings
- NOTE: DDS facilities must comply so long as they are not designated to close by 2021; CDCR facilities are exempt

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Healthcare Workplace Violence Prevention

- "Workplace violence" means any act of violence or threat of violence that occurs at the work site. The term workplace violence shall not include lawful acts of self-defense or defense of others. Workplace violence includes the following:
 - The threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury
 - An incident involving the threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury

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Proposed: Key Provisions

Four workplace violence types:

- "Type 1 violence" means workplace violence committed by a person who has no legitimate business in the work site, and includes violent acts by anyone who enters the workplace with the intent to commit a crime.
- "Type 2 violence" means workplace violence directed at employees by customers, clients, patients, students, inmates, or visitors or other individuals accompanying a patient.
- "Type 3 violence" means workplace violence against an employee by a present or former employee, supervisor, or manager.
- "Type 4 violence" means workplace violence committed in the workplace by someone who does not work there, but has or is known to have had a personal relationship with an employee.

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Proposed Training

- Training to be tailored to the risks employees are reasonably anticipated to encounter in their jobs
- Awareness training for all employees when the plan is adopted and, for new employees, at the start of employment
 - Overview of the Plan
 - Recognizing potential for violence
 - Strategies for avoiding harm
 - Hospital alarm systems and how to use identified escape routes
 - Role of private security personnel, if any
 - Reporting incidents
 - Resources

Proposed Training

- Opportunity to ask questions
 - Computer-based learning is permitted so long as employees can have their questions answered within one business day
- Annual refresher training for employees whose job involves patient contact and their supervisors
 - At least annually to review topics included in the initial training and results of the annual review
 - Focused on topics/information applicable to those employees
- Opportunity to ask questions
 - Computer-based learning is permitted so long as employees can have their questions answered within one business day



Proposed Training

- Specified training for employees whose job responsibilities include violent incident response
 - General and personal safety measures
 - Aggression and violence predicting factors
 - The assault cycle
 - Characteristics of aggressive and violent patients and victims
 - Verbal intervention and de-escalation techniques and physical maneuvers to defuse and prevent violent behavior
 - Strategies to prevent physical harm
 - Appropriate use of restraining techniques
 - Appropriate use of medications as safety restraints
- The opportunity to practice maneuvers and techniques with other team members and a de-brief after the training to identify and correct issues

Post-Incident Response

- · Provide appropriate medical/psychological care
- Investigate
- Debrief
- Document
- Correct identified hazards





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Proposed: Key Provisions

Other Plan Elements

- Procedures to identify and evaluate patient-specific risk factors
 - Factors specific to a patient that may increase the likelihood or severity of a workplace violence incident such as use of drugs or alcohol, psychiatric condition or diagnosis associated with increased risk of violence, any condition or disease process that would cause confusion and/or disorientation, or history of violence
 - How "patient-specific" is still a question
- Procedures to assess visitors or other individuals who display disruptive behavior or otherwise demonstrate a risk of committing workplace violence

Other Plan Elements

- Procedures to implement corrective action, as applicable, including but not limited to:
 - Sufficient staffing
 - Eliminating line of sight obstacles
 - Removing, fastening or controlling items that could be used as a weapon
 - Preventing transport of unauthorized firearms or other weapons
- Annual Review or review when changed circumstances



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Proposed: Key Provisions

Other Plan Elements

- Identification of leaders responsible for implementation
- Procedures to obtain the active involvement of employees or their representatives in all aspects of plan development, implementation and evaluation/assessment
- Developing effective procedures for obtaining assistance from appropriate law enforcement agency, including a policy statement that prohibits the employer from adopting a policy that prevents employees from calling local law enforcement
- Procedures to assess the work environment, including parking lots, etc., for safety/security risks



Violent Incident Log

- To be reviewed during the annual plan review and available to employees
- For each incident, employer completes based on information solicited from the employee(s):
 - Date, time, location and department
 - Detailed description of the incident
 - Classification of perpetrator
 - Circumstances
 - Type of incident
 - Consequences of incident



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Proposed: Key Provisions

Acute Care, Acute Psych and Specialty Hospital Reporting

- Required by SB 1299
- Must report any violent incident that involves:
 - The use of physical force against an employee by a
 patient or a person accompanying a patient that results
 in, or has a high likelihood of resulting in, injury,
 psychological trauma, or stress, regardless of whether
 the employee sustains an injury; or
 - An incident involving the use of a firearm or other dangerous weapon, regardless of whether the employee sustains an injury

Acute Care, Acute Psych and Specialty Hospital Reporting

- 24 Hour Reporting for:
 - A fatality or an injury that requires inpatient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement
 - An incident involving the use of a firearm or other dangerous weapon
 - Urgent or emergent threat to the welfare, health or safety of hospital personnel such that they are exposed to a realistic possibility of death or serious physical harm

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Proposed: Key Provisions

Acute Care, Acute Psych and Specialty Hospital Reporting

- 72 Hour Reporting for:
 - Other reportable incidents within the following parameters
 - The use of physical force against an employee by a patient or a person accompanying a patient that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury
 - For this purpose, injury is defined as an incident requiring medical treatment more than first aid

Action Steps

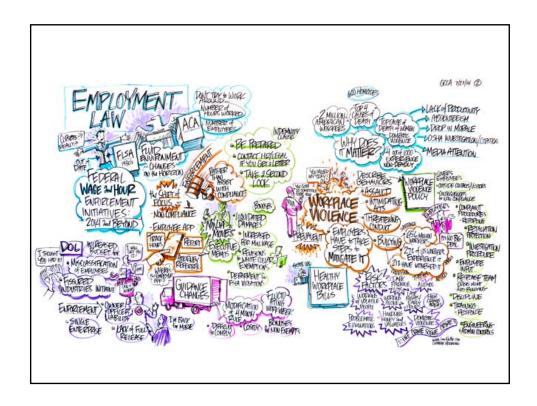


- Identify lead at your hospital/health system
- Create multi-disciplinary workgroup
- Review proposed regulations
- Begin gap analysis and other preparatory activity
- Monitor regulatory process
- Be ready to implement Violence Incident Log, Reporting and Record-keeping by January 2017
- Be ready to satisfy the remaining sections by January 2018
- Recognize that Cal/OSHA is already investigating complaints

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CHA Activities

- Continue provide input to Cal/OSHA on reporting obligation
- Submit public testimony at Oct. 20 Cal/OSHA Standards Board Meeting
- Continue to update dedicated website
 - www.calhospital.org/workplace-violence-prevention
- Develop a Healthcare Workplace Violence Prevention Regulation Guidebook
- Present a Webinar on Nov. 1 (tentative)
- Work with Cal/OSHA on various training opportunities
 - Particularly with respect to reporting obligation

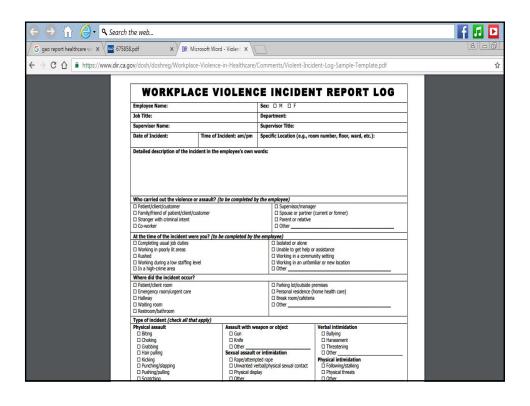


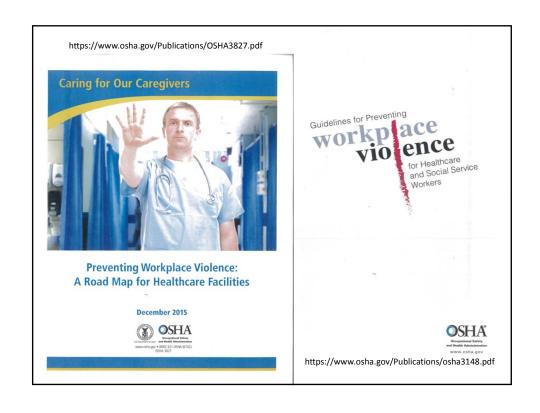
Logistical Challenges

- Resources \$\$\$\$\$ for program requirements, unfunded mandated
- Policy Development HR, Nursing, Security, Case Management, ED
- Risk Assessment(s):
 - By unit, service, location determine hazards, job design, equipment,
 - Patient Orange Dot, STAMP for ED, MS4 Risk Screening
 - Visitors or others entering facilities or services
 - Security BSIS Licensure Scope of Practice (Observe and Report), Armed vs. Unarmed, local LE response
- Staff involvement multidisciplinary all levels, collective bargaining representatives
- Training requirements
 - Initial before start working
 - 3 levels based on response choices, online and face to face for hands on maneuvers of some staff based on response plan
 - Temporary employee nursing, contracted physicians, DaVita
 - Annually or more often as processes change or incidents happen AAR

Logistical Considerations

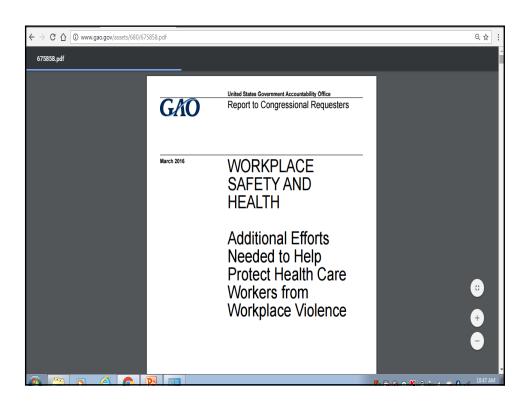
- Investigation requirements Threat Assessment Team
- Discharge planning Violent vs. Aggressive for placement D/C
- Documentation using Violent Incident Log
 - Separate from 300 Log requirements
 - Record maintenance annual cost of \$89.38 per establishment based on needlestick/sharps program
- Reporting requirements CALOSHA Electronic Website data entry
 - Limited access for people to do input
 - Estimates 30 minutes to do one incident
 - CALOSAH used est .14.2 incidents a year from CDC to show minimal cost 30 minutes x 45.12/hour pay rate = \$320.35.
 - Violent Incident Log contains 20 plus types of reportable incidents
- Public displayed data Affects on reputation/branding
- Patient satisfaction scores

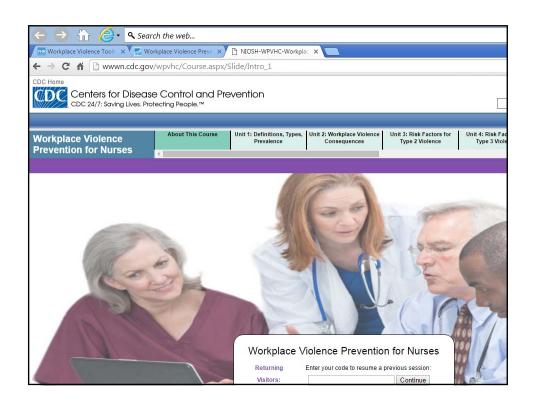


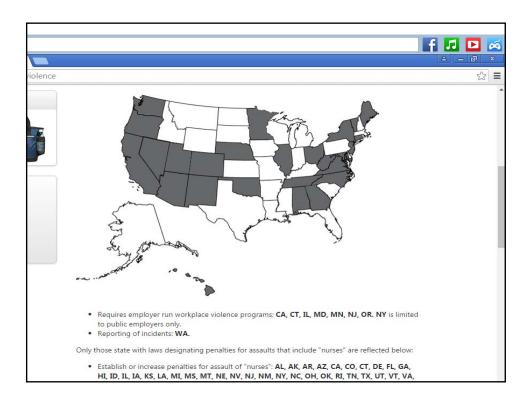




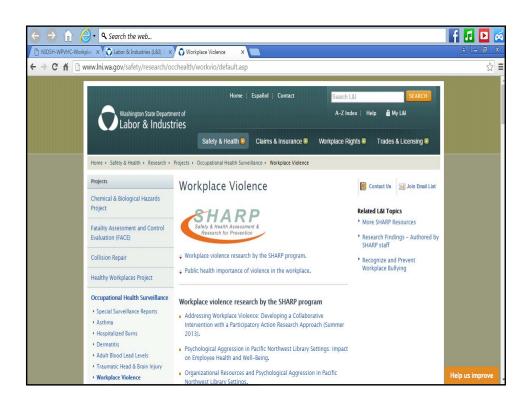




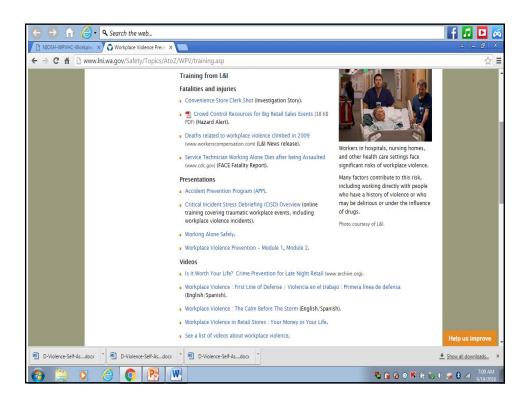




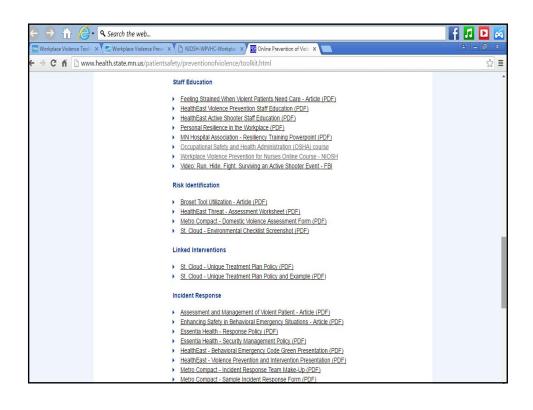


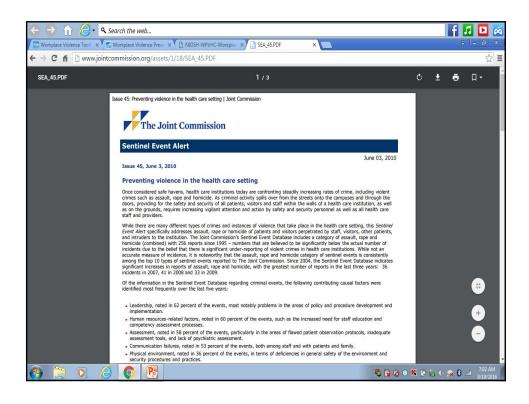


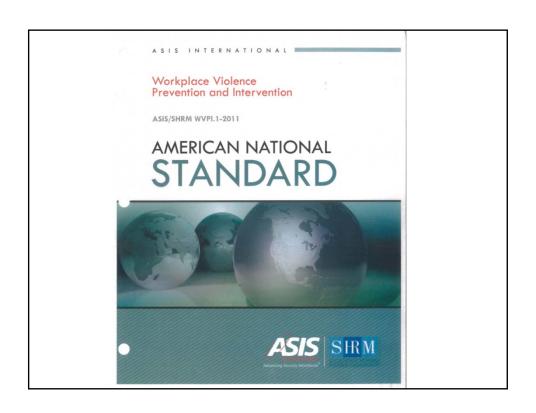


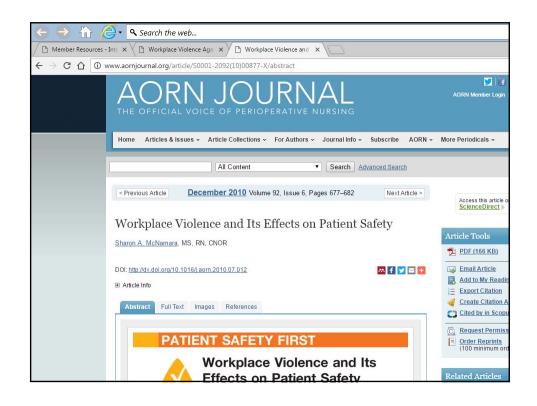


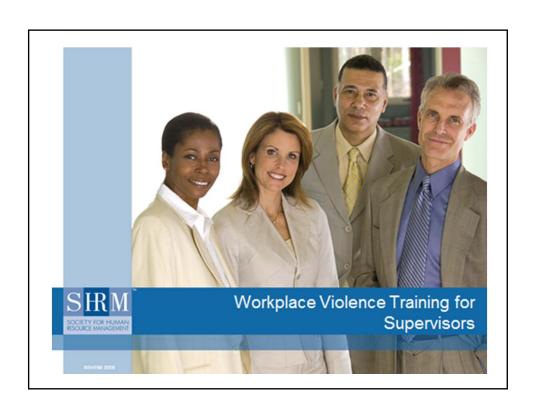




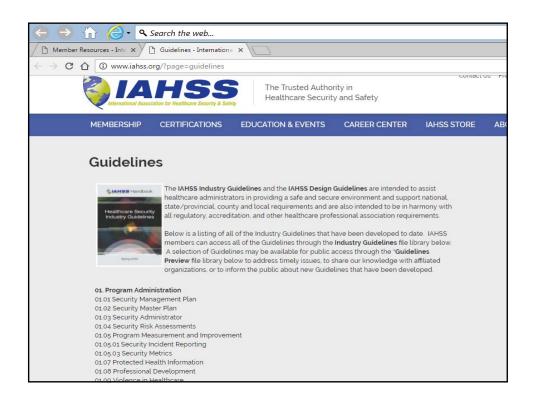




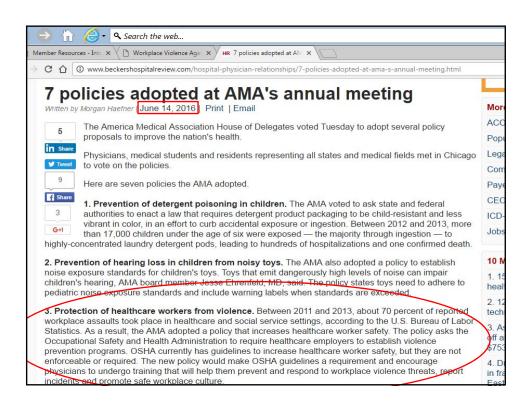


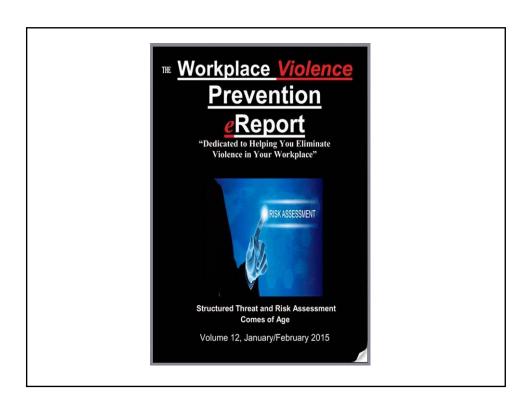




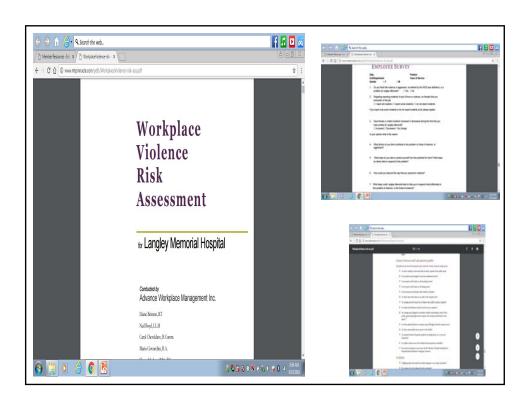




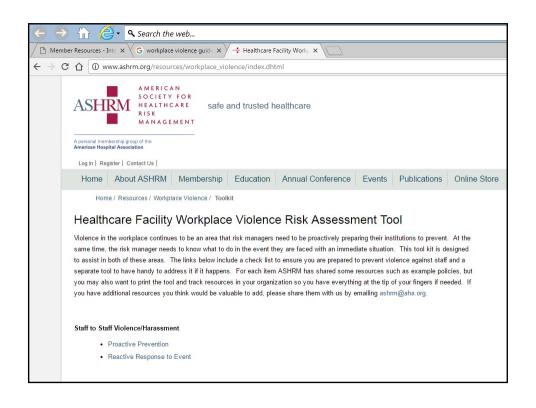


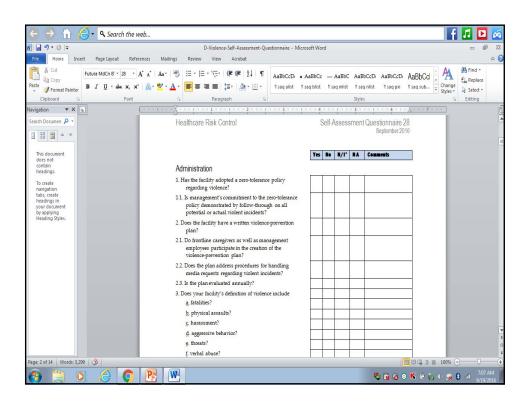


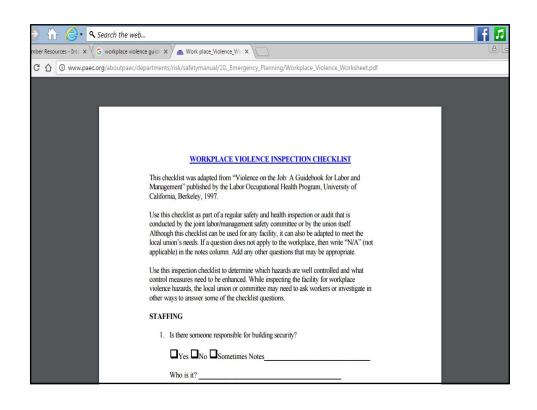


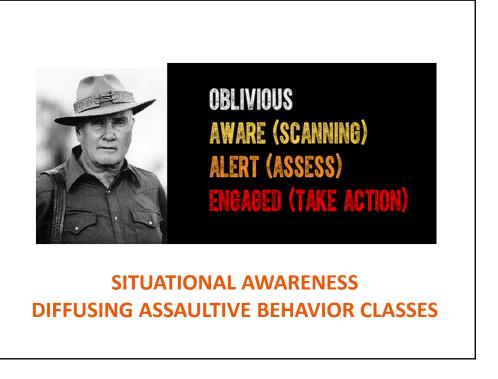












SHC-VC In-Patient Risk Screening

- Risk Assessment for in-patient admission
- Orange dots on staffing boards
- Orange Dots on door frames
- · Orange Inserts in patient charts
- Ticket to Ride
- Flagging of Records
- · Numbers reported at Ops Huddle



