



April 10, 2024

The Honorable Liz Ortega  
Chair, Assembly Committee on Labor and Employment  
1020 N Street, Room 155  
Sacramento, CA 95814

**SUBJECT: AB 2975 (Gipson) Oppose Unless Amended**

Dear Assembly Member Ortega:

Providing a safe, healthy, and welcoming environment for patients, staff, and visitors is a priority that California hospitals take seriously. In addition to complying with all workplace safety laws and regulations, California hospitals recognize the importance of addressing and implementing preventative measures aimed at reducing violent behavior in our hospitals.

Assembly Bill (AB) 2975 (Gibson, D-Gardena) directs the Cal/OSHA Standards Board to amend the existing Workplace Violence Prevention in Health Care regulation to require metal detection screening monitored by trained security personnel at the hospital's main public entrance, emergency department entrance, and labor and delivery entrance, if separately accessible to the public. Additionally, AB 2975 would require hospitals to develop policies and procedures for storing confiscated weapons and a screening process for those who refuse metal detection screening.

**The California Hospital Association (CHA), on behalf of more than 400 hospitals and health systems, appreciates the author's attention to workplace violence prevention by requiring metal detection screening at hospital public entrances; however, we are concerned that the bill in its current form is overly broad in scope such that it could deter patients from seeking care or potentially escalate security situations into violent conduct.**

Existing law already contemplates the use of metal detection devices when the presence of weapons is reasonably anticipated. Cal/OSHA's Workplace Violence Prevention in Health Care regulation requires hospitals to develop and implement a workplace violence prevention plan, identify, and evaluate safety and security risks, and implement corrective measures. The regulation identifies several corrective measures hospitals may consider, including metal detection devices in areas where visitors and patients are "reasonably anticipated to possess firearms or other weapons" that could be used to commit violence. To that end, many hospitals throughout the state have implemented metal detection screening protocols at locations and corresponding entrances where the individual facility has determined the need for such heightened security measures warrants the screening.

However, AB 2975 would remove hospital discretion and instead direct the Cal/OSHA Standards Board to require metal detection devices at the public entrances of all California hospitals, regardless of whether the risk of harm warrants the security measure. Such a universal requirement could have a detrimental impact on patient care and worker safety. Patients may be deterred from entering a hospital out of fear of, or opposition to, metal detection screening and opt out of care. Similarly, patients and visitors may display violent behavior due to a generalized frustration with the screening process, or an unwillingness to consent to screening and/or confiscation of a personal item. These unintended consequences are more likely to be avoided if factors are in place that determine first, if metal detection screening is needed, and second, at what entrance.

Additionally, AB 2975 places the responsibility on the hospital, not law enforcement or trained security personnel, to develop a contraband policy that includes storing confiscated items that could be used as a weapon. Hospitals are trained to save lives, not confiscate, and store objects that may be used as weapons. Placing the onus on hospital personnel to store confiscated personal items places hospital workers in the most vulnerable position – namely between the person and their weapon. Hospitals should have the discretion to determine how they want to handle the confiscation of weapons – whether that be through local law enforcement or for visitors denying entrance.

CHA supports efforts to decrease incidents of workplace violence and increase the quality of patient care and employee satisfaction. Additional requirements should be meaningful, ensuring the safety of all individuals who enter a facility. Hospitals are in the best position to understand and assess their unique safety needs and can work with the Cal/OSHA Standards Board to find the most appropriate solutions.

Sincerely,



Rony Berdugo  
Vice President, State Advocacy

cc: Assembly Member Mike Gipson  
The Honorable Members of the Assembly Labor and Employment Committee  
Megan Lane, Chief Consultant, Assembly Labor and Employment Committee  
Lauren Prichard, Consultant, Assembly Republican Caucus