HOUSE No. 1007

The Commonwealth of Massachusetts

PRESENTED BY:

Denise C. Garlick

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act requiring health care employers to develop and implement programs to prevent workplace violence.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Denise C. Garlick	13th Norfolk
Bruce J. Ayers	1st Norfolk
Timothy R. Whelan	1st Barnstable
Robert M. Koczera	11th Bristol
Claire D. Cronin	11th Plymouth
F. Jay Barrows	1st Bristol
Steven Ultrino	33rd Middlesex
Sarah K. Peake	4th Barnstable
Danielle W. Gregoire	4th Middlesex
Brendan P. Crighton	11th Essex
Jose F. Tosado	9th Hampden
Shawn Dooley	9th Norfolk
Jack Lewis	7th Middlesex
Thomas M. Stanley	9th Middlesex
Michael S. Day	31st Middlesex
Natalie Higgins	4th Worcester
Daniel M. Donahue	16th Worcester

Mathew Muratore Ist Plymouth Elizabeth A. Poirier 14th Bristol Diana DiZoglio 14th Essex Kimberly N. Ferguson 1st Worcester James R. Miceli 19th Middlesex Marjorie C. Decker 25th Middlesex Hannah Kane 11th Worcester Joseph W. McGonagle, Jr. 28th Middlesex Tricia Farley-Bouvier 3rd Berkshire John W. Scibak 2nd Hampshire Denise Provost 27th Middlesex Michelle M. DuBois 10th Plymouth Michael J. Finn 6th Hampden Thomas P. Walsh 12th Essex Christine P. Barber 34th Middlesex Brian M. Ashe 2nd Hampden Thomas J. Calter 12th Plymouth Louis I. Kafka 8th Norfolk Gerard Cassidy 9th Plymouth Joniel Cullinane 12th Suffolk Jennifer E. Benson 37th Middlesex James B. Eldridge Middlesex and Worcester Chris Walsh 6th Middlesex Angelo L. D'Emilia 8th Plymouth Mike Connolly 26th Middlesex Brian Murray 10th Worcester John J. Mahoney 13th Worcester John J. Mahoney 13th Worcester John J. Mahoney 13th Worcester John J. Mahoney 15th Worcester Joan B. Lovely Second Essex Barbara A. L'Italien Second Essex Barbara A. L'Italien Second Essex Sean Garballey 23rd Middlesex Keik M. Orrall 12th Bristol Paul Brodeur 32nd Middlesex Paul R. Heroux 2nd Bristol	James J. Dwyer	30th Middlesex
Diana DiZoglio	Mathew Muratore	1st Plymouth
Kimberly N. Ferguson	Elizabeth A. Poirier	14th Bristol
Kimberly N. Ferguson	Diana DiZoglio	14th Essex
Marjorie C. Decker Hannah Kane Joseph W. McGonagle, Jr. Tricia Farley-Bouvier John W. Scibak Denise Provost Michelle M. DuBois Michelle M. DuBois Michel J. Finn Thomas P. Walsh Christine P. Barber Brian M. Ashe Tricia Safley John W. Scibak Cal Hampshire Denise Provost Ash Middlesex Michelle M. DuBois Ioth Plymouth Michael J. Finn Thomas P. Walsh I 2th Essex Christine P. Barber Brian M. Ashe 2nd Hampden Thomas J. Calter I 2th Plymouth Louis L. Kafka Sth Norfolk Gerard Cassidy 9th Plymouth Daniel Cullinane I 2th Suffolk Jennifer E. Benson 37th Middlesex Middlesex Ames B. Eldridge Middlesex Angelo L. D'Emilia Sth Plymouth Mike Connolly 26th Middlesex Angelo L. D'Emilia Sth Plymouth Mike Connolly 26th Middlesex John J. Mahoney John J.		1st Worcester
Hannah Kane Joseph W. McGonagle, Jr. 28th Middlesex Tricia Farley-Bouvier John W. Scibak Denise Provost Z7th Middlesex Michelle M. DuBois Michael J. Finn Michael J. Finn Michael J. Finn Middlesex Thomas P. Walsh Z1th Essex Thomas P. Walsh Z1th Essex White P. Barber John W. Scibak Znd Hampden Zhomas J. Calter Zith Plymouth Zith Plymouth Zith Plymouth Zith Plymouth Zith Plymouth Zith Suffolk White Suffolk White Suffolk White Suffolk Zith Middlesex	James R. Miceli	19th Middlesex
Joseph W. McGonagle, Jr. Tricia Farley-Bouvier John W. Scibak Denise Provost Michelle M. DuBois Michael J. Finn Gth Hampden Thomas P. Walsh Christine P. Barber Brian M. Ashe Todate Louis L. Kafka Jerrard Cassidy John Cassidy John J. Middlesex James B. Eldridge Chris Walsh Mike Connolly Brian M. J. Oth Middlesex Angelo L. D'Emilia Mike Connolly Mike Kafka Mary S. Keefe Joan B. Lovely Barbara A. L'Italien Second Essex Jame Brian M. Ashe John J. Middlesex John J. Mahoney John J. Skeefe John J. Skeefe John J. Skeefe John J. Walsh John J. Mahoney John J. Ma	Marjorie C. Decker	25th Middlesex
Tricia Farley-Bouvier John W. Scibak Denise Provost Alichelle M. DuBois Michelle M. DuBois Michael J. Finn Thomas P. Walsh Christine P. Barber Brian M. Ashe Tomas J. Calter Louis L. Kafka Gerard Cassidy James B. Eldridge Chris Walsh Balser Angelo L. D'Emilia Mike Connolly Brian Murray John J. Mahoney Joan Meschino Kay Khan Mary S. Keefe Joan B. Lovely Barbara A. L'Italien Second Essex 27th Middlesex 2nd Hampden 12th Suffolk 8th Norfolk 9th Plymouth 12th Suffolk 9th Plymouth 12th Suffolk 6th Middlesex Middlesex Angelo L. D'Emilia Bth Plymouth 10th Worcester John J. Mahoney 13th Worcester Joan Meschino Second Essex Sean Garballey Keiko M. Orrall Paul Brodeur 12th Middlesex 12th Worcester 12th Worcester 12th Worcester 12th Middlesex 12th Middlesex 12th Middlesex 12th Middlesex 12th Worcester 12th Worcester 12th Worcester 12th Worcester 12th Worcester 12th Bristol 12th Bristol 12th Bristol 12th Bristol 12th Middlesex 12th Middlesex	Hannah Kane	11th Worcester
John W. Scibak Denise Provost 27th Middlesex Michelle M. DuBois 10th Plymouth Michael J. Finn 6th Hampden Thomas P. Walsh 12th Essex Christine P. Barber 34th Middlesex Brian M. Ashe 2nd Hampden Thomas J. Calter 12th Plymouth Louis L. Kafka 6th Norfolk Gerard Cassidy 9th Plymouth Daniel Cullinane 12th Suffolk Jennifer E. Benson 37th Middlesex Middlesex Middlesex Chris Walsh 6th Middlesex Ruth B. Balser 12th Middlesex Angelo L. D'Emilia 8th Plymouth Mike Connolly 2oth Middlesex John J. Mahoney 13th Worcester John J. Mahoney 13th Worcester Joan Meschino Kay Khan 11th Middlesex Mary S. Keefe 15th Worcester Joan B. Lovely Second Essex Sean Garballey Keiko M. Orrall Paul Brodeur 12th Middlesex 13th Middlesex 12th Bristol Paul Brodeur 32nd Middlesex Carmine L. Gentile	Joseph W. McGonagle, Jr.	28th Middlesex
Denise Provost Michelle M. DuBois Michael J. Finn Oth Hampden Thomas P. Walsh I2th Essex Christine P. Barber 34th Middlesex Brian M. Ashe 12th Plymouth Louis L. Kafka Gerard Cassidy Oth Plymouth Jennifer E. Benson James B. Eldridge Chris Walsh Middlesex Middlesex Middlesex Middlesex Middlesex Angelo L. D'Emilia Mike Connolly John J. Mahoney Barbara A. L'Italien Second Essex Sean Garballey Keiko M. Orrall Paul Brodeur Cassidy Atth Middlesex Carmine L. Gentile 27th Middlesex Ath Middlesex Middlese	Tricia Farley-Bouvier	3rd Berkshire
Denise Provost Michelle M. DuBois Michael J. Finn Oth Hampden Thomas P. Walsh I2th Essex Christine P. Barber 34th Middlesex Brian M. Ashe 12th Plymouth Louis L. Kafka Gerard Cassidy Oth Plymouth Jennifer E. Benson James B. Eldridge Chris Walsh Middlesex Middlesex Middlesex Middlesex Middlesex Angelo L. D'Emilia Mike Connolly John J. Mahoney Barbara A. L'Italien Second Essex Sean Garballey Keiko M. Orrall Paul Brodeur Cassidy Atth Middlesex Carmine L. Gentile 27th Middlesex Ath Middlesex Middlese	John W. Scibak	2nd Hampshire
Michael J. Finm Thomas P. Walsh 12th Essex Christine P. Barber 34th Middlesex Brian M. Ashe 12th Plymouth Louis L. Kafka 8th Norfolk Gerard Cassidy 9th Plymouth Daniel Cullinane 12th Suffolk Jennifer E. Benson 37th Middlesex James B. Eldridge Middlesex and Worcester Chris Walsh 6th Middlesex Ruth B. Balser 12th Middlesex Angelo L. D'Emilia 8th Plymouth Mike Connolly 26th Middlesex Brian Murray 10th Worcester John J. Mahoney 13th Worcester Joan Meschino 3rd Plymouth Kay Khan 11th Middlesex Mary S. Keefe 15th Worcester Joan B. Lovely Second Essex Barbara A. L'Italien Second Essex Sean Garballey Keiko M. Orrall 12th Bristol Paul Brodeur 23th Middlesex Carmine L. Gentile 13th Middlesex Carmine L. Gentile	Denise Provost	
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Thomas P. Walsh Christine P. Barber 34th Middlesex Brian M. Ashe 2nd Hampden Thomas J. Calter 12th Plymouth Louis L. Kafka 8th Norfolk Gerard Cassidy 9th Plymouth Daniel Cullinane 12th Suffolk Jennifer E. Benson 37th Middlesex James B. Eldridge Middlesex and Worcester Chris Walsh Ruth B. Balser 12th Middlesex Angelo L. D'Emilia 8th Plymouth Mike Connolly 26th Middlesex Brian Murray 10th Worcester John J. Mahoney 13th Worcester Joan Meschino 3rd Plymouth Kay Khan 11th Middlesex Mary S. Keefe 15th Worcester Joan B. Lovely Second Essex Barbara A. L'Italien Second Essex Barbara A. L'Italien Second Essex and Middlesex Keiko M. Orrall Paul Brodeur 13th Middlesex 13th Middlesex Carmine L. Gentile	Michael J. Finn	6th Hampden
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Jennifer E. Benson James B. Eldridge Chris Walsh Ruth B. Balser Angelo L. D'Emilia Mike Connolly Brian Murray John J. Mahoney Joan Meschino Kay Khan Ilth Middlesex Mary S. Keefe Joan B. Lovely Barbara A. L'Italien Second Essex Sean Garballey Keiko M. Orrall Paul Brodeur Chris Walsh Middlesex Middlesex And Worcester Joth Middlesex 12th Middlesex 12th Middlesex 13th Worcester 15th Worcester 23rd Middlesex 12th Bristol 12th Bristol 12th Bristol 13th Middlesex	Gerard Cassidy	9th Plymouth
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Kay Khan11th MiddlesexMary S. Keefe15th WorcesterJoan B. LovelySecond EssexBarbara A. L'ItalienSecond Essex and MiddlesexSean Garballey23rd MiddlesexKeiko M. Orrall12th BristolPaul Brodeur32nd MiddlesexCarmine L. Gentile13th Middlesex	John J. Mahoney	13th Worcester
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Sean Garballey23rd MiddlesexKeiko M. Orrall12th BristolPaul Brodeur32nd MiddlesexCarmine L. Gentile13th Middlesex	Joan B. Lovely	Second Essex
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Carmine L. Gentile 13th Middlesex	Keiko M. Orrall	12th Bristol
	Paul Brodeur	32nd Middlesex
Paul R. Heroux 2nd Bristol	Carmine L. Gentile	13th Middlesex
	Paul R. Heroux	2nd Bristol

Stephan Hay Jeffrey N. Roy John Norfolk Walter F. Timilty Patrick M. O'Connor Plymouth and Norfolk John D. Livingstone Sth Suffolk Paul W. Mark Paul W. Mark Paul Tucker Harold P. Naughton, Jr. Jich Worcester John C. Velis John Hampden John M. Whipps Susannah M. Whipps John Hampshire Susannah M. Whipps John Hampden John J. John Hampden John Hampden John J. John Hampden John Hampden John J. John J. John John John John John John John John	James M. Cantwell	4th Plymouth
Telfrey N. Roy 10th Norfolk Walter F. Timilty Norfolk, Bristol and Plymouth Patrick M. O'Connor Plymouth and Norfolk Iday D. Livingstone 8th Suffolk Paul W. Mark 2nd Berkshire Revin G. Honan 17th Suffolk Paul Tucker 7th Essex Harold P. Naughton, Jr. 12th Worcester Michael O. Moore Second Worcester Idohn C. Velis 4th Hampden Jonathan D. Zlotnik 2nd Worcester Peter V. Kocot 1st Hampshire Susannah M. Whipps 2nd Franklin Susan Williams Gifford 2nd Plymouth Thomas A. Golden, Jr. 16th Middlesex James J. O'Day 14th Worcester Michael D. Brady Second Plymouth and Bristol Maron Vega 5th Hampden Daniel J. Ryan 2nd Suffolk Edward F. Coppinger 10th Suffolk David M. Rogers 24th Middlesex John H. Rogers 12th Norfolk David M. Rogers 12th Norfolk David Paul Linsky 5th Middlesex David M. Nangle 17th Middlesex	Angelo J. Puppolo, Jr.	12th Hampden
Walter F. Timilty Patrick M. O'Connor Plymouth and Norfolk Patrick M. O'Connor Plymouth and Norfolk Patrick M. O'Connor Plymouth and Norfolk Paul W. Mark Paul Tucker Paul Tucker Paul Tucker Paul Tucker Paul Tucker Paul Tucker Patrick M. O'Connor Plymouth Worcester Patrick P. Naughton, Jr. Paul Tucker Poter V. Worcester Poter V. Kocot	Stephan Hay	3rd Worcester
Walter F. Timilty Patrick M. O'Connor Plymouth and Norfolk Patrick M. O'Connor Plymouth and Norfolk Patrick M. O'Connor Plymouth and Norfolk Paul W. Mark Paul Tucker Paul Tucker Paul Tucker Paul Tucker Paul Tucker Paul Tucker Patrick M. O'Connor Plymouth Worcester Patrick P. Naughton, Jr. Paul Tucker Poter V. Worcester Poter V. Kocot	Jeffrey N. Roy	10th Norfolk
Tay D. Livingstone Both Suffolk Paul W. Mark Paul W. Mark Paul Tucker Toth Essex Harold P. Naughton, Jr. Ith Worcester Michael O. Moore Second Worcester Hampden Jonathan D. Zlotnik Peter V. Kocot Susannah M. Whipps Susannah M. Whipps Susannah M. Whipps Toth Middlesex Jordan J. C'Day Ith Worcester John C. Velis Aaron Vega Daniel J. Ryan Paul J. Ryan Paul Suffolk David M. Rogers John M. Cusack David M. Rongle David M. Rongle John Suffolk John Middlesex John Mark J. Cusack David Paul Linsky David Paul Linsky John Middlesex John Mangle John Middlesex John Midd	Walter F. Timilty	
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Paul Tucker 7th Essex Harold P. Naughton, Jr. 112th Worcester Second Worcester John C. Velis 4th Hampden Jonathan D. Zlotnik Peter V. Kocot 1st Hampshire Susannah M. Whipps 2nd Franklin Susan Williams Gifford Thomas A. Golden, Jr. John Charles John Charter John Charles John Charles John Charles John Charles John Cha	Paul W. Mark	2nd Berkshire
Harold P. Naughton, Jr. Michael O. Moore Second Worcester John C. Velis Jonathan D. Zlotnik Peter V. Kocot Ist Hampshire Susannah M. Whipps Susan Williams Gifford Thomas A. Golden, Jr. John C. Vega	Kevin G. Honan	17th Suffolk
Michael O. Moore John C. Velis John M. Whipps John C. John M. Whipps John C. John M. Whipps John C. John M. Millia John C. John M. Millia John C. John C. John M. Whipps John C. John C. John M. Whipps John C. John C. John M. Worcester John C. John M. Rogers John C. John M. Whipps John C. John M. H.	Paul Tucker	7th Essex
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Peter V. Kocot Susannah M. Whipps 2nd Franklin Susan Williams Gifford Thomas A. Golden, Jr. James J. O'Day Ith Worcester Michael D. Brady Second Plymouth and Bristol Aaron Vega Daniel J. Ryan Pelward F. Coppinger Joth Suffolk Elizabeth A. Malia Jith Suffolk David M. Rogers John H. Roge	John C. Velis	4th Hampden
Susannah M. Whipps 2nd Franklin 2nd Plymouth Thomas A. Golden, Jr. Ith Worcester Michael D. Brady Aaron Vega Daniel J. Ryan Edward F. Coppinger Ith Suffolk David M. Rogers Ioth Niddlesex 12th Norfolk RoseLee Vincent David Paul Linsky David Paul Linsky David M. Nangle David M. Nangle David M. Nangle Ith Suffolk Sth Middlesex John H. Hofolk John H. Rogers Joh	Jonathan D. Zlotnik	2nd Worcester
Susan Williams Gifford Thomas A. Golden, Jr. James J. O'Day James J. O'Day James J. O'Day James J. O'Day Jath Worcester Michael D. Brady Second Plymouth and Bristol Aaron Vega Janiel J. Ryan Janiel J. Link Suffolk Janiel J. Link Suffolk Janiel J. Linky Janiel J. Link J. Linker Janiel J. Linky Janiel J. Link J. Linker Janiel J. L	Peter V. Kocot	1st Hampshire
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Aaron Vega Daniel J. Ryan 2nd Suffolk Edward F. Coppinger 10th Suffolk Elizabeth A. Malia 11th Suffolk David M. Rogers 24th Middlesex John H. Rogers 12th Norfolk RoseLee Vincent 16th Suffolk Tackey Chan 2nd Norfolk David Paul Linsky 5th Middlesex David M. Nangle 17th Middlesex David M. Nangle 17th Middlesex John H. Rogers 12th Norfolk 15th Middlesex	James J. O'Day	14th Worcester
Daniel J. Ryan Edward F. Coppinger 10th Suffolk Elizabeth A. Malia 11th Suffolk David M. Rogers 24th Middlesex John H. Rogers 12th Norfolk RoseLee Vincent 16th Suffolk Tackey Chan 2nd Norfolk Mark J. Cusack 5th Norfolk David Paul Linsky 5th Middlesex David M. Nangle 17th Middlesex Nick Collins 4th Suffolk Julian Cyr Cape and Islands Adrian Madaro Paul McMurtry 11th Norfolk	Michael D. Brady	Second Plymouth and Bristol
Edward F. Coppinger Elizabeth A. Malia David M. Rogers John H. Rogers 12th Norfolk RoseLee Vincent Tackey Chan David Paul Linsky Dylan Fernandes David M. Nangle Nick Collins Adrian Madaro Paul McMurtry 10th Suffolk 12th Nuffolk 12th Norfolk 12th Middlesex 12th Norfolk 12th Norfolk 12th Middlesex 12th Norfolk 12th Norfolk 12th Middlesex 12th Norfolk 12th Middlesex 12th Norfolk	Aaron Vega	5th Hampden
Elizabeth A. Malia David M. Rogers John H. Ro	Daniel J. Ryan	2nd Suffolk
David M. Rogers 24th Middlesex 12th Norfolk 16th Suffolk Tackey Chan 2nd Norfolk Mark J. Cusack 5th Norfolk David Paul Linsky 5th Middlesex Dylan Fernandes Barnstable, Dukes and Nantucket David M. Nangle 17th Middlesex Nick Collins 4th Suffolk Julian Cyr Cape and Islands Adrian Madaro 1st Suffolk Paul McMurtry 11th Norfolk	Edward F. Coppinger	10th Suffolk
Iohn H. Rogers Iohn H	Elizabeth A. Malia	11th Suffolk
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Tackey Chan 2nd Norfolk Mark J. Cusack 5th Norfolk David Paul Linsky 5th Middlesex Barnstable, Dukes and Nantucket David M. Nangle 17th Middlesex Nick Collins 4th Suffolk Julian Cyr Cape and Islands Adrian Madaro 1st Suffolk Paul McMurtry 11th Norfolk	John H. Rogers	12th Norfolk
Mark J. Cusack David Paul Linsky Sth Middlesex Dylan Fernandes Barnstable, Dukes and Nantucket 17th Middlesex Nick Collins 4th Suffolk Julian Cyr Cape and Islands Adrian Madaro 1st Suffolk 11th Norfolk	RoseLee Vincent	16th Suffolk
David Paul Linsky 5th Middlesex Barnstable, Dukes and Nantucket 17th Middlesex Nick Collins 4th Suffolk Julian Cyr Cape and Islands Adrian Madaro 1st Suffolk 11th Norfolk	Tackey Chan	2nd Norfolk
Dylan Fernandes David M. Nangle 17th Middlesex Nick Collins 4th Suffolk Julian Cyr Cape and Islands Adrian Madaro 1st Suffolk 11th Norfolk	Mark J. Cusack	5th Norfolk
David M. Nangle 17th Middlesex Nick Collins 4th Suffolk Tulian Cyr Cape and Islands Adrian Madaro 1st Suffolk Paul McMurtry 11th Norfolk	David Paul Linsky	5th Middlesex
Nick Collins 4th Suffolk Julian Cyr Cape and Islands Adrian Madaro 1st Suffolk Paul McMurtry 11th Norfolk	Dylan Fernandes	Barnstable, Dukes and Nantucket
Julian CyrCape and IslandsAdrian Madaro1st SuffolkPaul McMurtry11th Norfolk	David M. Nangle	17th Middlesex
Adrian Madaro	Nick Collins	4th Suffolk
Paul McMurtry 11th Norfolk	Julian Cyr	Cape and Islands
Paul McMurtry 11th Norfolk	Adrian Madaro	1st Suffolk
	Paul McMurtry	
	Carolyn C. Dykema	8th Middlesex

HOUSE No. 1007

By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 1007) of Denise C. Garlick and others for legislation to provide for annual perform at risk assessments by health care employers and labor organizations. Labor and Workforce Development.

The Commonwealth of Alassachusetts

In the One Hundred and Ninetieth General Court (2017-2018)

An Act requiring health care employers to develop and implement programs to prevent workplace violence.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 149 of the General Laws, as appearing in the 2016 Official Edition,
- 2 is hereby amended by inserting after section 129D, the following new section:-
- 3 Section 129E. (a) As used in this section, the following words shall have the following
- 4 meanings:-
- 5 "Employee", an individual employed by a health care employer as defined in this section.
- 6 "Health care employer", any individual, partnership, association, corporation or, trust or
- 7 any person or group of persons operating a health care facility as defined in this section and
- 8 employing five or more employees.
- 9 "Health care facility", an individual, partnership, association, corporation or trust or any
- person or group of persons that employs health care providers, including any hospital, clinic,
- 11 convalescent or nursing home, charitable home for the aged, community health agency or other

provider of health care services licensed, or subject to licensing by, or operated by the department of public health; any state hospital operated by the department; any facility as defined in section three of chapter one hundred and eleven B; any private, county or municipal facility, department or unit which is licensed or subject to licensing by the department of mental health pursuant to section nineteen of chapter nineteen, or by the department of developmental services pursuant to section fifteen of chapter nineteen B; any facility as defined in section one of chapter one hundred and twenty-three; the Soldiers' Home in Holyoke, the Soldiers' Home in Chelsea; or any facility as set forth in section one of chapter nineteen or section one of chapter nineteen B.

"Workplace Violence", any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site ranging from threats and verbal abuse to physical assaults and homicide.

(b) Each health care employer shall annually perform a risk assessment, in cooperation with the employees of the health care employer and any labor organization or organizations representing the employees, examining all factors, which may put any of the employees at risk of workplace violence. The factors shall include, but not be limited to: working in public settings; guarding or maintaining property or possessions; working in high-crime areas; working late night or early morning hours; working alone or in small numbers; uncontrolled public access to the workplace; working in public areas where people are in crisis; working in areas where a patient or resident may exhibit violent behavior; working in areas with known security problems and working with a staffing pattern insufficient to address foreseeable risk factors.

(c) Based on the findings of the risk assessment, the health care employer shall develop and implement a program to minimize the danger of workplace violence to employees, which shall include appropriate employee training, and a system for the ongoing reporting and monitoring of incidents and situations involving violence or the risk of violence. Employee training shall include, in addition to all employer training program policies, methods of reporting to appropriate public safety officials, bodies or agencies and processes necessary for the filing of criminal charges. Each health care employer shall develop a written violence prevention plan setting forth the employer's workplace violence prevention plan. The health care employer shall make the plan available to each employee and provide the plan to any of its employees upon their request. The health care employer shall provide the plan to any labor organization or organizations representing any of its employees. The plan shall include: (i) a list of those factors and circumstances that may pose a danger to employees; (ii) a description of the methods that the health care employer will use to alleviate hazards associated with each factor; including, but not limited to, employee training and any appropriate changes in job design, staffing, security, equipment or facilities; (iii) a post-incident debriefing process with affected staff; and (iv) a description of the reporting and monitoring system.

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- (d) Each health care employer shall designate a senior manager responsible for the development and support of an in-house crisis response team for employee-victims of workplace violence. Said team shall implement an assaulted staff action program that includes, but is not limited to, group crisis interventions, individual crisis counseling, staff victims' support groups, employee victims' family crisis intervention, peer-help and professional referrals.
- (e) The commissioner of labor shall adopt rules and regulations necessary to implement the purposes of this act. The rules and regulations shall include such guidelines as the

commissioner deems appropriate regarding workplace violence prevention programs required pursuant to this act, and related reporting and monitoring systems and employee training.

- (f) Any health care employer who violates any rule, regulation or requirement made by the department under authority hereof shall be punished by a fine of not more than two thousand dollars for each offense. The department or its representative or any person aggrieved, any interested party or any officer of any labor union or association, whether incorporated or otherwise, may file a written complaint with the district court in the jurisdiction of which the violation occurs and shall promptly notify the attorney general in writing of such complaint. The attorney general, upon determination that there is a violation of any workplace standard relative to the protection of the occupational health and safety of employees or of any standard of requirement of licensure, may order any work site to be closed by way of the issuance of a cease and desist order enforceable in the appropriate courts of the commonwealth.
- (g) No employee shall be penalized by a health care employer in any way as a result of such employee's filing of a complaint or otherwise providing notice to the department in regard to the occupational health and safety of such employee or their fellow employees exposed to workplace violence risk factors.
- SECTION 2. Section 13I of Chapter 265 of the General Laws as appearing in the 2016 Official Edition, is hereby amended by inserting at the end the following section:-

Section XX: Any emergency medical technician, ambulance operator, ambulance attendant or a health care provider as defined in section 1 of chapter 111, who is the victim of assault or assault and battery in the line of duty shall be given the option of providing either the individual's home address or the address of the health care facility where the assault or assault

and battery occurred. In instances where the address of the health care facility is used, the health care facility shall ensure that the individual receives any documents pertaining to the assault or assault and battery within 24 hours of receipt by the health care facility. The health care facility shall demonstrate that it has provided any and all documentation by obtaining a signature from the individual acknowledging receipt.

SECTION 3. Each health care employer shall report every six months all incidents of assault and assault and battery under Section 13I of Chapter 265 of the General Laws, as appearing in the 2016 Official Edition, to the department, the department of public health and the office of the district attorney. These reports shall be made publicly available within 90 days of receipt by these departments and the office of the district attorney.

SECTION 4. Chapter 265 of the General Laws as so appearing, is hereby amended after Section 13I by inserting at the end the following sections:-

Section XX. (a) For purposes of this section, the following words shall have the following meanings, unless the context clearly indicates otherwise:

"Employee", an individual employed by a health care employer as defined in this section.

"Health care employer", any individual, partnership, association, corporation or, trust or any person or group of persons operating a health care facility as defined in this section and employing five or more employees.

"Health care facility", an individual, partnership, association, corporation or trust or any person or group of persons that employs health care providers, including any hospital, clinic, convalescent or nursing home, charitable home for the aged, community health agency or other

provider of health care services licensed, or subject to licensing by, or operated by the department of public health; any state hospital operated by the department; any facility as defined in section three of chapter one hundred and eleven B; any private, county or municipal facility, department or unit which is licensed or subject to licensing by the department of mental health pursuant to section nineteen of chapter nineteen, or by the department of developmental services pursuant to section fifteen of chapter nineteen B; any facility as defined in section one of chapter one hundred and twenty-three; the Soldiers' Home in Holyoke, the Soldiers' Home in Chelsea; or any facility as set forth in section one of chapter nineteen or section one of chapter nineteen B.

- (b) A health care employer shall permit an employee to take up to 7 days of leave from work in any 12 month period if: (i) the employee is a victim of assault or assault and battery which occurred in the line of duty; (ii) the employee is using the leave from work to: seek or obtain victim services or legal assistance; obtain a protective order from a court; appear in court or before a grand jury; meet with a district attorney or other law enforcement official or to address other issues directly related to the assault and battery.
 - (c) The leave taken under this section shall be paid.

- (d) An employee seeking leave from work under this section shall provide appropriate advance notice of the leave to the employer as required by the employer's leave policy.
- (e) A health care employer may require an employee to provide documentation evidencing that the employee has been a victim of assault or assault and battery sustained in the line of duty and that the leave taken is consistent with the conditions of clauses (i) and (ii).

(f)If an unscheduled absence occurs, the health care employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the last unauthorized absence in the instance of consecutive days of unauthorized absences, provides documentation that the unscheduled absence meets the criteria of clauses (i) and (ii).

- (g) An employee shall provide such documentation to the health care employer within a reasonable period after the health care employer requests documentation relative to the employee's absence.
- (h) All information related to the employee's leave under this section shall be kept confidential by the health care employer and shall not be disclosed, except to the extent that disclosure is: (i) requested or consented to, in writing, by the employee; (ii) ordered to be released by a court of competent jurisdiction; (iii) otherwise required by applicable federal or state law; (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the attorney general; or (v) necessary to protect the safety of the employee or others employed at the workplace.
- (i) An employee seeking leave under this section shall not have to exhaust all annual leave, vacation leave, personal leave or sick leave available to the employee, prior to requesting or taking leave under this section.
- (j) No health care employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided under this section or to make leave requested or taken hereunder contingent upon whether or not the victim maintains contact with the alleged abuser.

(k) No health care employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under this section. The taking of leave under this section shall not result in the loss of any employment benefit accrued prior to the date on which the leave taken under this section commenced. Upon the employee's return from such leave, the employee shall be entitled to restoration to the employee's original job or to an equivalent position.

- (l) The attorney general shall enforce this section and may seek injunctive relief or other equitable relief to enforce this section.
- (m) Health care employers shall notify each employee of the rights and responsibilities provided by this section including those related to notification requirements and confidentiality.
- (n) This section shall not be construed to exempt an employer from complying with chapter 258B, section 14B of chapter 268 or any other general or special law or to limit the rights of any employee under said chapter 258B, said section 14B of chapter 268 or any other general or special law.