



## **Guide for Reporting Workplace Violence Incidents**

Just because an assault occurs in the ED, that doesn't mean it's not a crime. And remember: Violence is not "just part of the job." When a patient's, visitor's or coworker's behavior rises to the level of assault, health care professionals deserve to be protected in their workplace at the time of an incident and during the follow-up.

ENA has compiled advice from experienced ED nurses and law enforcement representatives to help those who need to report an incident and increase the chance that the proper authorities will both take a report and follow up on it.

### **Know your rights**

- Know your local laws: Be able to reference state or local codes, such as whether your state has laws specifically pertaining to assaults against health care workers or how long you have after an incident to file a report.
- A good way to learn how your state's laws protect you is to search your state attorney general's website for "victim services" or "victim rights."
- You have the right to follow up and find out what happens after you file a report.
- You may speak with the prosecutor's office to discuss the possibility of no-contact orders prior to a bond hearing.
- Depending on local laws, you might be able to list your place of employment instead of your home as your address on the report.
- Keep a copy of the case number.
- HIPPA does not prevent you from reporting a crime. Describing a person or the facts of an incident in the reporting of a crime is not the same as disclosing protected personal health information. HIPPA allows reporting of suspect information, even if the suspect is a patient.
- If you don't think you are being taken seriously, you may ask to speak to a supervisor, whether it's in your hospital or in the law enforcement agency investigating the incident.

### **Know your policies**

- Review the policies at your hospital. Do they reflect the actions you would want to take place if an incident occurs? For instance, what is the role of on-site security staff? How are victims supported?

## **Help your case**

- Be specific and detailed in your description of the incident. Do not minimize or exaggerate what happened.
- Try to identify other people who were there and who to follow up with if needed once the environment is safe.
- Be a good witness. Write down the actual wording of a person's threat, or a clear description of the actions you observed.
- When you report the facts of a crime committed against you or that you witnessed, you are not passing judgment on the perpetrator. It is up to law enforcement, prosecutors and judges to determine charges and any consequences.
- If you don't file a report right away, you will still have some time to go back. The statute of limitations varies by jurisdictions and offenses.

## **Build relationships**

- Especially if you are in a leadership role in your ED, get to know the leaders in the local law enforcement agency and prosecutor's office that serve your hospital.
- Help those in your local law enforcement agency, court systems and community agencies understand the problems you and your colleagues face when it comes to violence in the ED.
- Consider gathering hospital leaders and local law enforcement representatives, both police and prosecutors, to create a working group or task force to monitor and pursue better solutions.

## **Recognize that help can mean many things**

- Remember that you did not "sign up for this," and being assaulted is not part of your job.
- "Giving them a break" might not be helpful. It may seem like letting an incident slide because the offender has some type of mental, behavioral or substance use disorder is the compassionate thing to do. But in some cases, the criminal justice system could impose court-ordered treatment, which not only could ensure the offender gets help but also could prevent other dangerous events.

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