

For: LeClairRyan, Newark, N.J.  
From: Parness & Associates, Aberdeen, N.J.

FOR IMMEDIATE RELEASE

**HEALTHCARE INDUSTRY FACES MOUNTING PRESSURE TO PREVENT ON-THE-JOB VIOLENCE, SAYS VETERAN SAFETY AND HEALTH ATTORNEY**

*--New law in New Jersey could be sign of things to come*

NEWARK, N.J. (7/9/08) – Anxiety about workplace violence is nowhere more acute than among healthcare workers, who by some estimates are 16 times more likely to become the target of on-the-job violence than their counterparts in other fields. Amid grim statistics and a steady stream of horrific headlines, healthcare facilities understandably face mounting pressure to protect their employees, says LeClairRyan’s Joseph P. Paranc, Jr., a veteran occupational safety and health defense attorney.

Lawmakers in states like New Jersey, Washington, Alabama and Oregon have already passed statutes aimed at reducing violence against nurses and other healthcare workers. And with every major new act of violence, Paranc notes, the likelihood increases that the federal government will follow suit with mandatory regulations of its own.

“State laws like New Jersey’s Violence Prevention in Healthcare Facilities Act, the first phase of which went into effect in July of this year, could very well become more common,” Paranc says. “Regardless, the U.S. Occupational Safety and Health Administration (OSHA) sooner or later will come up with its own mandatory workplace violence regulations.”

Healthcare organizations that act now to begin planning and executing their own workplace violence prevention programs—even if not yet required to do so by law—will find the transition to any new state or federal regulatory frameworks far easier than those that wait, Paranc advises.

And because OSHA’s current voluntary guidelines on preventing workplace violence clearly will form the backbone of any new requirements, healthcare organizations also can craft their programs with a minimal amount of guesswork, he says. “There is a clear nexus, for example, between New Jersey’s law and the voluntary OSHA guidelines,” explains Paranc, who has made a detailed study of OSHA’s guidelines. “OSHA also has a model workplace violence prevention program that clearly offers employers valuable guidance in establishing their own prevention programs.”

As more healthcare organizations enact such programs—voluntarily or otherwise—those that have failed to show similar initiative might be vulnerable in court, Paranc adds. “Workplace violence civil suits always go to the liability of the facility for not recognizing, say, that an individual displayed violent tendencies, or for not doing exactly the kinds of risk assessments spelled out by the OSHA guidelines,” he notes.

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