



House Judiciary Committee
HB 1121
January 10, 2023

Chairman Klemin and Committee Members, I am Courtney Koebele and I serve as Executive Director for the North Dakota Medical Association. The North Dakota Medical Association is the professional membership organization for North Dakota physicians, residents, and medical students.

The North Dakota Medical Association is in strong support of HB 1121. This issue was originally brought to the medical association by the North Dakota Chapter of Emergency Physicians in 2014. Although they were already in a protected class under the statute, they were seeing a large increase in assaults in the workplace and wanted a higher level of penalty to apply to all health care workers. The NDMA House of Delegates reviewed this issue and adopted a resolution to move forward in supporting legislation to protect all healthcare providers.

Currently, North Dakota law provides for an assault classification of Class C Felony when the victim is:

1. a peace officer or correctional institution employee acting in an official capacity, which the actor knows to be a fact;
2. an employee of the state hospital acting in the course and scope of employment, which the actor knows to be a fact, and the actor is an individual committed to or detained at the state hospital pursuant to chapter 25-03.3;
3. a person engaged in a judicial proceeding; or
4. a member of a municipal or volunteer fire department or emergency medical services personnel unit or an emergency department worker in the performance of the member's duties.

This bill would add to that list a victim employed or contracted by a health care facility, which the actor knows to be a fact, and the assault occurs on the health care facility property.

Assaults against healthcare workers are rising. The federal government reports that health care workers are four times more likely to experience workplace

violence than employees in all other industries. In 2020, the healthcare and social assistance industry reported a 40% increase in injury and illness cases which continues to be higher than any other private industry sector – 806,200 cases (2020 Survey of Occupational Injuries and Illnesses, BLS). In fact, healthcare accounts for nearly as many serious violent injuries as all other industries combined.

This law would make the punishment for assaulting a healthcare provider equal to the penalty for assaulting a law enforcement officer, employee at the state hospital, a person engaged in a judicial proceeding, volunteer firefighter, or EMT.

This will send a clear message that we are serious about protecting the professionals who make it their life's work to protect others. Identical to the currently protected professional individuals, healthcare providers are obligated to offer assistance, therefore, we believe the same protections should be in place.

For the above stated reasons, we request your support for HB 1121.

Thank you.