

January 10, 2023

Thank You Chairman Larson and Judicial committee members for the work you are doing and allowing me to speak today. My name is Gail Pederson, from District 24 in Valley City. I am here to speak in favor of House Bill 1121, relating to the assault on a health care facility employee. I am a Special Practice RN, Board Certified Holistic Nurse, Cannabis Nurse educator and consultant. I was honored to be named North Dakota Legendary Nurse for Advocacy by the ND Center for Nursing in 2019, both for my advocacy of nursing and my cannabis activism since medical cannabis became legal in 2016.

My most recent “punch the clock” position, semi retiring after almost 43 years, was taking care of aging religious sisters at Maryvale convent near Valley City. After working in a small town hospital ER, the first time I drew all of the sisters’ blood for lab, I joked....Well, at least I know you aren’t drunk, I don’t think you’ll swear at me and I doubt you will take a swing at me....And we laughed. We laughed! This is nothing to laugh about. Health care workers have come under an onslaught of verbal and physical attacks over the last 3 years. Our penalties must be severe enough for people to pay attention to what they are doing and the consequences they face.

I am a member of the American Cannabis Nurses Association and on their Government Policy and Advocacy committee. There are more than a handful of cannabis nurses across the country whose stories I personally know. They cannot work after a patient assault. These professionals are now major advocates for cannabis as medicine. They suffer mostly from Musculoskeletal and closed head injuries, the dangerous head butt being particularly harmful, results are brain fog, cognitive disabilities, PTSD, anxiety, chronic and acute pain. It is life changing.

Over the last few years, I have had an open ear for other nurses across the state who have reached out to me via social media. Their despair over the state of health care throughout the pandemic is dramatic. My written testimony in the house stated I had not heard of serious physical injury. The morning of my testimony, I received this from a nurse in the western part of the state. It was only included in my video testimony.

“This is what happened to me. I was checking the IV pump medications the patient was receiving. Suddenly, I felt a sharp blow to my right lateral rib cage. I’m on the ground and my breath is knocked out of me. My patient had lifted her leg and kicked me from her bed. My patient is muttering “bitch, you deserved it.” At that moment, I’m thankful she is too ill to move quickly. I’m choking back tears because I didn’t do a damn thing to her. This patient assaulted two other co-workers before the shift was over. I suffered a pulmonary contusion. Law enforcement charged her with three counts of misdemeanor assault. She was pissed because she wanted her cell phone, which we did not have. (She was hospitalized because she was in diabetic ketoacidosis, nothing wrong with her mind.) She has a long history of violence. The police knew her well and have arrested her several times before for a variety of charges through the years. Our facility puts all their employees through MOAB training. I did have to use it during the night when she was assaulting my other co-worker and I was so thankful for the training. She will get the three misdemeanor charges but they will mean nothing to her, given her background. Just another day of getting away with being a bully.”

The debate in the house hearing was that we are creating a special class of people. Don’t we have that already by separating out the protected class of people of emergency management? Then it was “where does it end?” We have heard that by adding the bodily fluids clause, there has been a reduction in incidents. It works to deter people. Shouldn’t those of us that may not have a choice of caring for a violent patient have the same protections?

The abusive language and threatening stances are here. Should that even be tolerated? Is it in any other business? As a holistic nurse, caring for the mind, body and spirit of my patients, I can't NOT take care of them.

You've hear of "burn out". Moral injury, to me, is a better definition. The spirit of our health care professionals has been broken. The least we can do is physically protect them. Adding health care facility employees to HB 1121 should be a given. Please vote favorably for the amendment. Thank you. I stand for questions.

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