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HOUSE BILL NO. 590

INTRODUCED BY E. BUTTREY, A. BUCKLEY, G. FRAZER, J. LYNCH, E. MATTHEWS

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING LAWS RELATED TO VIOLENCE AGAINST HEALTH CARE WORKERS AND WORKERS EMPLOYED BY HEALTH CARE PROVIDERS; PROVIDING FOR REPORTING OF VIOLENCE AGAINST A HEALTH CARE WORKER; PROVIDING FOR A REPORT OF VIOLENCE AGAINST HEALTH CARE WORKERS; AMENDING SECTION 50-16-805, MCA; AND PROVIDING A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Reporting of violence against health care employee. (1) If a health

care employee suffers an act of violence while on duty, the health care employer shall ensure that the health care employee and any employees who witnessed the act of violence provide oral reports to the health care employer. The oral reports must be made by the fastest possible means, absent circumstances beyond the control of the health care employer, and not later than 24 hours after the act of violence.

(2) The health care employer of a health care employee who suffers an act of violence shall report the event to law enforcement if the health care employee consents.

(3) (a) After the health care employer receives an oral report under subsection (1), the health care employer shall produce a written report that includes the following:

- (i) the phone number, address, and contact person for the health care employer;
 - (ii) the job title, name, phone number, and address of the health care employee who suffered the act of violence;
 - (iii) the name, phone number, and address of the person who committed the act of violence, if known; and
 - (iv) a detailed description of the act of violence, noting the date and time the oral report was made.
- (b) Reports created in accordance with this section are not considered protected health care

information and must be retained by health care employers separate and apart from a patient's medical record.

