

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2016**

Bill Number: H.74 Name of Bill: An act relating to safety protocols for social and mental health workers

Agency/ Dept: AHS Author of Bill Review: Dawn O'Toole

Date of Bill Review: 3/25/16 Related Bills and Key Players \_\_\_\_\_

Status of Bill: (check one): ☐ Upon Introduction ☒ As passed by 1<sup>st</sup> body ☐ As passed by both

**Recommended Position:**

☐ Support ☐ Oppose ☐ Remain Neutral ☒ Support with modifications identified in #8 below

**Analysis of Bill**

**1. Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*

This bill proposes to require programs within or funded by the Agency of Human Services to create violence prevention and crisis response protocols for social and mental health workers and all other employees providing direct services to clients. This bill would apply to all programs that are administered, licensed, or funded by AHS.

**2. Is there a need for this bill?** *Please explain why or why not.*

We agree that any organization that provides direct services should have some version of a violence prevention and crisis response protocol, but we feel the requirements could be achieved through the rule making process.

**3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**

If implemented correctly, violence prevention and crisis response protocols should help to reduce staff injuries and conflicts with service recipients, but the requirements, as written, would require additional resources (staff) and time for all of the affected programs to meet these requirements.

**4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**

A fiscal note would be necessary to hire additional staff to do the oversight and monitoring to ensure compliance.

**5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?**

The United Nurses and Allied Professionals support this proposal as they advocate for the safety of nurses and social workers.

**6.2 Who else is likely to oppose the proposal and why?**

Contractors of AHS-the requirement is viewed as overly prescriptive and burdensome and would result in additional administrative costs.

**7. Rationale for recommendation:** *Justify recommendation stated above.*

See #2

**8. Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

- A. We recommend that the requirements for this bill only apply to programs that are administered by AHS. Responsibility for safety protocols among programs receiving funding by AHS should rest with the organization and/or its board of directors.
- B. AHS asked for and received language exempting the Agency from liability for programs that fail to comply with this bill.
- C. AHS requested that only the Agency central office be required to develop a protocol rather than the Agency and all of its departments.

**9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many?**

No

**Secretary/Commissioner has reviewed this document:** *Paul Dagon* **Date: 3/28/16**