

ED MANAGEMENT OF DISRUPTIVE OR VIOLENT INDIVIDUALS

PURPOSE

The purpose of this policy is to effectively manage any occurrence of behavioral disruption or violence in the emergency department and to create a safe and effective work environment. This policy intends to support OSHA and TJC recommendations.

To strongly discourage disruptive or violent behavior, the emergency department, registration personnel, and Public Safety staff will work cooperatively with law enforcement agencies to make reports and file criminal charges.

POLICY

The emergency department has adopted a policy of "zero tolerance" for disruptive or violent behavior by patients, visitors, or employees in the emergency department clinical or waiting areas.

RESPONSIBILITIES

Emergency department, registration personnel, and Public Safety staff members are responsible for following this policy and the procedures described below.

The staff must realize that the registration and treatment of patients in the ED involves occasional exposure to profane, loud, and offensive language. This may be due to the patient's medical condition or a behavioral issue. As a result all staff must commit to anger defusion measures to calm angry individuals.

PROCEDURES

Reporting

Emergency department and registration staff shall immediately notify a Public Safety officer whenever a patient or visitor is disruptive or violent. The Public Safety officer shall be rapidly and accurately apprised of the situation and facts.

Medical Screening/EMTALA Compliance

A Public Safety officer shall not remove any individual seeking medical care until that individual receives a medical screening exam by a physician.



ED MANAGEMENT OF DISRUPTIVE OR VIOLENT INDIVIDUALS

page 2

The triage nurse (or other available nurse or physician) shall be summoned immediately by the Public Safety officer when a disruptive person comes to the emergency department seeking medical care. A nurse or physician must rapidly determine whether the individual requires physical restraint by Public Safety staff in order to provide necessary medical treatment to an incompetent or psychiatrically impaired individual ("medical hold"). An emergency physician, after assessing the patient, may make the determination that a "medical hold" is unnecessary and that the patient can be managed by the Public Safety officer. In all such cases an emergency department chart must be made and be completed by the involved nursing and physician staff.

Disruptive Behavior

Definition:

Disruptive behavior involves use of profane, loud, and offensive language or any other action obstructing normal operations in the ED and potentially jeopardizing the delivery of emergency care to others.

Disruptive behavior exhibited by a patient:

The emergency department and registration staff shall summon the Public Safety officer and ensure that this type of patient is immediately seen by a nurse or doctor and triaged.

The Public Safety officer will take the lead in communication and action when a patient is using profane, loud, or offensive language. S/he shall inform a disruptive patient that unless s/he ceases the disruptive behavior s/he may potentially face criminal charges for Disorderly Conduct.

If the patient ceases the disruptive behavior, medical treatment will resume as usual.

If the patient does not cease the disruptive behavior and no urgent medical treatment is necessary, the patient shall be asked to leave and escorted off hospital property by the Public Safety officer (with a co-worker present) or arrested, the local Police Department summoned, and a criminal complaint for Disorderly Conduct pursued.



If the patient does not cease the disruptive behavior and requires urgent medical treatment, a member of the medical staff will order a "medical hold," and the individual will be restrained as necessary and appropriately treated for the medical condition.

Disruptive behavior exhibited by a parent (or guardian) accompanying a minor patient:

A Public Safety officer will direct the person to immediately cease the disruptive behavior and that refusal to do so may result in immediate arrest for Disorderly Conduct. If the person fails to comply with the officer's request, social services and a nurse or physician will be summoned to assess the situation. In such cases a clinical decision will be made regarding whether it is necessary to take the minor into protective custody in order to provide healthcare to the minor. Further, the healthcare workers will determine the appropriateness of having the parent (or guardian) escorted off hospital property by the Public Safety officer (with a co-worker present) or arrested, the local Police Department summoned, and a criminal complaint for Disorderly Conduct pursued.

Disruptive behavior exhibited by a visitor:

A Public Safety officer will direct the person to immediately cease the disruptive behavior and that refusal to do so may result in immediate arrest for Disorderly Conduct. If the person fails to comply with the officer's request, s/he will be asked to leave and escorted off hospital property by the officer (with a co-worker present) or s/he will be arrested, the local Police Department summoned, and a criminal complaint for Disorderly Conduct pursued.

Complaint:

Should a person refuse to stop disruptive behavior or to leave hospital property, the Public Safety officer will sign a complaint for Disorderly Conduct with the local Police Department regardless of the mental or emotional state of the patient, or visitor. The officer who was directly involved with the individual and who requested that the disruptive behavior cease will sign the criminal complaint and testify in court if necessary.



ED MANAGEMENT OF DISRUPTIVE OR VIOLENT INDIVIDUALS

page 4

Public Safety shall complete a Hospital Incident Report in all cases of disruptive behavior regardless of the mental or emotional state of the assailant.

Violent Behavior

Definitions:

Violence, for the purposes of this protocol, is defined as any intentional act or threat of harm by one individual to another. Assault is any threat of harm including a physical gesture such as waving a clenched fist. Battery is when a person intentionally or knowingly, without justification, and by any means causes bodily harm to an individual or makes physical contact of an insulting or provoking nature (e.g., hitting, spitting, kicking, bumping, etc). Aggravated Assault Aggravated Battery occurs when the above occurs and a weapon is involved or the victim was an ED worker. "Aggravated" is synonymous with a felony and is subject to more harsh penalties.

Violence exhibited by a patient:

If the assailant is a patient who requires urgent medical treatment, the medical staff will order a "medical hold," and the individual will be restrained by Public Safety staff and appropriately treated for the medical condition. The local Police Department will be summoned and the patient will be arrested and then processed upon release.

If the assailant is a patient that requires no urgent medical treatment, the patient will be arrested by Public Safety and the local Police Department summoned.

Violence exhibited by a visitor:

If the Public Safety officer witnessed the act of violence or if a victim wishes to file a criminal charge, the Public Safety Officer will detain or arrest the assailant until the local Police Department arrives.

Complaint:

If the Public Safety officer witnessed the act of violence, s/he will make a report with the local Police Department and sign a criminal complaint. Additionally, the victim(s) will be asked to sign a criminal complaint with



the local Police Department. The mental or emotional state of the assailant will have no bearing on filing a complaint.

When a complaint is filed by an employee, s/he shall use the hospital's address and telephone number as his or hers on the criminal complaint and local Police Department report. The employee signing a complaint is expected to testify in court. The employee will be compensated for this time and escorted by the Public Safety personnel to court. Further, the hospital will support the employee through the criminal justice process.

Public Safety shall complete a Hospital Public Safety Incident Report and local Police Department report in all cases of violent behavior regardless of the mental or emotional state of the assailant.

Local Police Department Notification and Reporting

Public Safety will immediately notify the local Police Department when a person is arrested and/or a complaint is filed. The Police Department will determine if there is sufficient evidence for filing specific criminal charges.

ED staff may notify the local Police Department in any situation when they feel threatened or unsafe. In general, however, Public Safety will be responsible for making all appropriate notifications to the local Police Department.

Problem Resolution

If any ED Staff member is not satisfied with the response from the Public Safety officer, that person may contact the Director of Public Safety or the Chairperson of the Department of Emergency Medicine to request an investigation and response to the concern or complaint.

If any ED Staff member is not satisfied with the response from the Police Department officer, that person may contact the watch commander to request an investigation and response to the concern or complaint.

