

Louisiana Governor Signs Legislation to Mitigate Workplace Violence Against Healthcare Workers Into Law

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The 2022 Louisiana legislative session included two bills focusing on workplace violence in the healthcare industry—[Act No. 461](#) and [Act No. 129](#)—that Governor John Bel Edwards signed into law earlier this summer.

Act No. 461

Act No. 461 creates new requirements for healthcare facilities aimed at addressing, mitigating, and preventing violence against healthcare personnel. These requirements include: (1) posting signage in a conspicuous and publicly accessible location at the facility explaining that violence against healthcare staff will not be tolerated and could result in a felony conviction; (2) developing and maintaining a comprehensive workplace violence prevention plan; and, (3) reporting all instances of workplace violence that occur at the facility to the appropriate authorities. The law prohibits retaliation against employees who report instances of workplace violence. The act applies to regulated entities, which the legislation defines broadly and includes nearly all healthcare facilities in Louisiana.

Act No. 461 also instructs the Louisiana Department of Health (LDH) to include information on its website regarding healthcare workplace violence. Specifically, the LDH's website must include a listing of resources on the issue of healthcare workplace violence; actions healthcare facilities can take to prevent, respond to, and mitigate healthcare violence; a checklist of items that healthcare facilities should consider when developing a workplace violence prevention plan; and, a downloadable example of the signage required to be displayed in healthcare facilities. In accordance with the new law, LDH recently launched a [workplace violence prevention page](#) on its website that includes a [downloadable sample sign](#).

We Respect You.

Please Respect Our Staff.

Abuse of or workplace violence
against healthcare staff will not be
tolerated and could result in a
FELONY conviction under R.S. 14:38 or
other applicable criminal laws.



Act No. 129 imposes enhanced penalties for the assault or battery of emergency room personnel, emergency services personnel, or a healthcare professional. Under the new law, battery or assault of emergency room personnel, emergency services personnel, or a healthcare professional is a felony in Louisiana. Act No. 129 expands the prior definition of “healthcare professional” to include nearly all staff of a healthcare facility. The law also creates a new criminal offense: the crime of unlawful disruption of the operation of a healthcare facility.

Next Steps for Louisiana Employers

Louisiana healthcare facilities may want to consider taking proactive steps to manage the requirements of Act No. 461 in their workplaces and ensure their practices comply with the obligations outlined in the new law. Some of those steps might include:

- ▶ developing a workplace violence prevention program;
- ▶ implementing annual education and training on the facility's workplace violence prevention program;
- ▶ reviewing onboarding and interview documents to comply with the new law; and,
- ▶ providing education and training on the new law for recruiters, managers, and supervisors.

Act No. 461 and Act No. 129 are effective August 1, 2022.