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December 5, 2023

Mr. Craig Blackwood
Assistant Director, Division of Occupational Safety and Health
Washington State Department of Labor & Industries
7273 Linderson Way SW
Tumwater, WA 98501-5414

BY EMAIL: Craig.Blackwood@lni.wa.gov

Re: Seattle Children's Hospital

Dear Assistant Director Blackwood,

On behalf of the Washington State Nurses Association (WSNA), I am writing to submit a complaint about Seattle Children's Hospital's (SCH) compliance with applicable laws and rules related to workplace safety.

WSNA serves as the representative of SCH's registered nurses. Nurses working on SCH's Psychiatry and Behavioral Medicine Unit (PBMU), along with other employees on that unit, have encountered an ongoing and escalating pattern of workplace violence. Nurses have also faced violence from behavioral health patients hospitalized on other units.

As detailed below, assaults and injury have become commonplace. Nurses are openly fearful about their increasingly hazardous workplace environment. Forty-four nurses who work on PBMU issued a letter to SCH management on November 17 detailing their concerns. The situation has garnered wide media coverage.

DOSH rules require an employer to "provide [its] employees a workplace free from recognized hazards that are causing, or are likely to cause, serious injury or death" (WAC 296-800-11005) and to "provide and use safety devices, safeguards, and use work practices, methods, process, and that are reasonably adequate to make [its] workplace safe." (WAC 296-800-11010). These requirements are also reflected in DOSH Directive 5.05. SCH is failing to provide such a workplace or to employ safeguards and work practices adequate to make its workplace safe.

We are aware that DOSH conducted an inspection on June 22, 2023 that "found no health violations at this site during [its] visit." However, since that inspection, conditions have grown worse. In one incident on November 7, patients overturned a meal cart, dislodged a metal rod and used it to break glass windows, brandishing the shards as weapons. A nurse who intervened was placed in a chokehold by one patient. Eventually 12 police quelled the disturbance.

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This is just one of several recent incidents, a brief summary of which is included in Appendix A. (We are aware that DOSH has an open complaint about several incidents of workplace violence at SCH, and that you may want to include this information in evaluating that complaint).

These incidents reflect a growing pattern and illustrate the hazards that routinely confront SCH nurses and other employees. Although SCH is well aware of the hazards that its employees face, it has failed to institute measures such as adequate security personnel and sufficient staffing to reduce the risk of violence. It has also failed to provide adequate training for nurses who float to PBMU and those who encounter aggressive and assaultive patients on other units.

Thus, this complaint is not based solely on the fact that one or more incidents occurred. Rather, SCH has “clearly failed to respond in a reasonable manner based on what the employer knew or clearly should have known” at the time of these incidents. (See DOSH Directive 5.05).

State laws and standards intended to prevent health care workplace violence (Chapter 49.19 RCW and DOSH Directive 5.07) provide for specific practices that health care employers must have in place. However, even if SCH were found to be in compliance with these requirements, this would not relieve the hospital of its general duty to provide a workplace free from recognized hazards that are causing, or are likely to cause, serious injury or death. SCH has failed to fulfill this duty.

Appendix B contains names and contact information for nurses who can provide firsthand information on the hazardous workplace conditions at SCH.

Please contact our research analyst, Ian Mikusko, if we may provide additional information or assistance: imikusko@wsna.org or 206-445-9612.

Sincerely,



David Keepnews, PhD, JD, RN, FAAN
Executive Director, Washington State Nurses Association

WASHINGTON STATE NURSES ASSOCIATION

APPENDIX A: SCH nurses' recent reports of workplace violence and hazardous conditions

September 19, 2023: After a patient on PBMU tried to escape from the patio with help from another patient, both patients chased a nurse and tried to attack them. Two times in one shift, one of the patients dropped a sharpened toothbrush on the patio. There were no security staff working on the unit that day.

September 20, 2023: A patient on PBMU held a sharp item in their fist and making threats to stab staff members. The patient continued to display the sharp item and pace through the unit. Another patient trapped a nurse in a room and would not let them leave until the code team was called. Another patient attacked numerous staff members in the hallway. Another patient would not let a staff member leave and attacked them in the patient's living zone.

September 30, 2023: At the beginning of a shift, a patient on PBMU threatened to stab a staff member with a nail they found. The same patient later assaulted another staff member. There were insufficient staff to restrain them—the entire unit was staffed with only two float pool nurses.

October 13, 2023: A patient on PBMU, after assaulting another patient, later assaulted a staff member after being denied a preferred snack.

October 22, 2023: A nurse on PBMU who was assigned 13 patients due to insufficient staffing reported, “I have sustained more serious injuries in the past year than in my first six years of working on [PBMU].”

October 29, 2023: Multiple staff members on PBMU were injured and had to leave the unit. One staff member was bitten. Several were hit in the head and/or kicked in the head and the body.

At one point, there were four restraints at the same time. There were not sufficient staff to restrain the patients who were kicking staff members, so staff were intermittently being kicked all over their bodies.

November 7, 2023: Patients on PBMU overturned a meal cart and used a pole to swing at staff and to break windows; one held a nurse in a chokehold. Several staff were sent to the Emergency Department. Seattle police were called; 12 officers intervened to restore calm.

A nurse in a different part of the unit was placed in a chokehold and repeatedly struck in the head by another patient.

November 10, 2023: A patient on a medical unit escalated from verbal abuse to being physically violent with staff. They have sent at least one nurse home with a head injury. This has been a daily, multiple times a day occurrence of violence. The patient has been awaiting a bed on PBMU.

November 16, 2023: A patient on PBMU punched a staff member in the face and hit her on the head. The patient, who has previously injured staff members, threatened to hurt more staff and other patients.

November 17, 2023: Two patients on PBMU were threw ceiling tiles at staff, striking some and breaking computers. Not enough staff were available to assist. Safety support was called; eventually Seattle police were called and intervened.

November 21, 2023: A highly agitated patient on a medical unit disconnected her nasogastric tube, which was attached to a feeding pump. A nurse approached to turn off the feeding pump so that it would not continue to spill on the floor. Patient continued to escalate then walked over to the nurse, who was cornered between the bed and sink, to strike her.

November 23, 2023: A patient on a medical unit threw a full water pitcher at a nurse, hitting her on the head. That nurse also notes "I am also concerned about the amount of staff hurt by this patient," indicating the patient often leaves their room and throws objects at staff. There is no support to prevent this. Further, the nurse states that staff on this unit do not have the training to work with patients with this level of acuity.

November 27, 2023: A patient on PBMU had wrapped a shoelace around their neck. When a staff member attempted to intervene, the patient grabbed them, pulled them down by pulling their hair, yelling "you don't get to take my stuff, you [expletive]," and spitting on them.

November 25, 2023: A patient was engaging in self-injurious behavior. A nurse attempted to intervene and was bitten. The bite broke skin and led to significant bruising and pain.

A patient on PBMU broke a meal lid into pieces, one of which was sharpened to a point. The patient made stabbing motions and threatened to stab staff members. Another patient charged at a nurse and hit them in the head with a closed fist.

A staff member on PBMU attempting to assist another staff member with an escalating patient was headbutted in the head and neck.

November 26, 2023: A patient on PBMU being placed in a hold for protection kicked a nurse in the head seven times.