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CMS Memo on Violence Reminds Hospitals That CoPs on Safe Environment Will Be Enforced

By Nina Youngstrom

It was during her own recent five-day inpatient stay, split between two hospitals, that attorney Kathy Poppitt found out how much of a toll the specter of violence—and sometimes the actual experience of it—is taking on nurses and other employees.

“It was eye-opening,” said Poppitt, with King & Spalding in Austin, Texas. “This is a real issue in hospitals.” One of the hospitals operates under a code brown, which is a call for security to a room because of a violent person. A third hospital in Colorado, where her brother was treated around the same time, has “person-sized signs all over” with the phrase “violence is not tolerated.”

Seeing this first-hand at the hospitals, which Poppitt said provided excellent care, resonated when she read CMS’s Nov. 28 memo on workplace violence in hospitals.^[1] The memo reminds hospitals that compliance with the Medicare conditions of participation (CoP) requires them to care for patients in a safe setting and that “CMS believes that healthcare workers have a right to provide care in a safe setting.”

Although there’s nothing new in the memo, it brings violence “up to the top,” Poppitt said. “It’s disruptive and alarming. Hospitals need to show they have taken the safety of patients and their employees seriously.”

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