Matt Deffebach in Bloomberg BNA: RFI on Preventing Workplace Violence in Health Care Rule

By Matthew Thomas Deffebach | June 3, 2016

RELATED PRACTICES OSHA

Health-care attorneys are anxiously awaiting what form a possible rule from OSHA on health-care workplace violence might take after the agency included a request for information on that topic in the spring federal unified regulatory agenda.

According to the rule abstract, the proposed RFI from the Department of Labor's Occupational Safety and Health Administration, “will provide OSHA's history with the issue of workplace violence in healthcare, including a discussion of the Guidelines that were initially published in 1996, a 2014 update to the Guidelines, and the recently published tools and strategies that were shared with OSHA by healthcare facilities with effective violence prevention programs.” ...

“Even with the data being published by OSHA regarding a rise in workplace violence in this industry, it still seems like a relatively narrow area to justify a specific rule,” Matthew Deffebach, a partner in Haynes Boone in Houston, told Bloomberg BNA.

“Even if the data suggests a rise in cases, the amount of past inspections over 14 years is hardly enough to justify the broad sweep of a general industry rule,” he added, citing the GAO Report's discussion of only 344 workplace violence inspections of health-care employers that were conducted in the 24 years between 1991 and 2015. ...

“Given the GAO report, this announcement may be cover by the agency to show it is prepared to do more in this area than a realistic first step in the long process of creating a workplace violence in health-care rule,” Deffebach said. “As this is the beginning stages of rulemaking to request information from various stakeholders, I am doubtful that anything will materialize beyond just this November RFI,” he added.

Excerpted from *Bloomberg BNA*. To read the full article, please click here (subscription required).

© 2026 Haynes and Boone, LLP