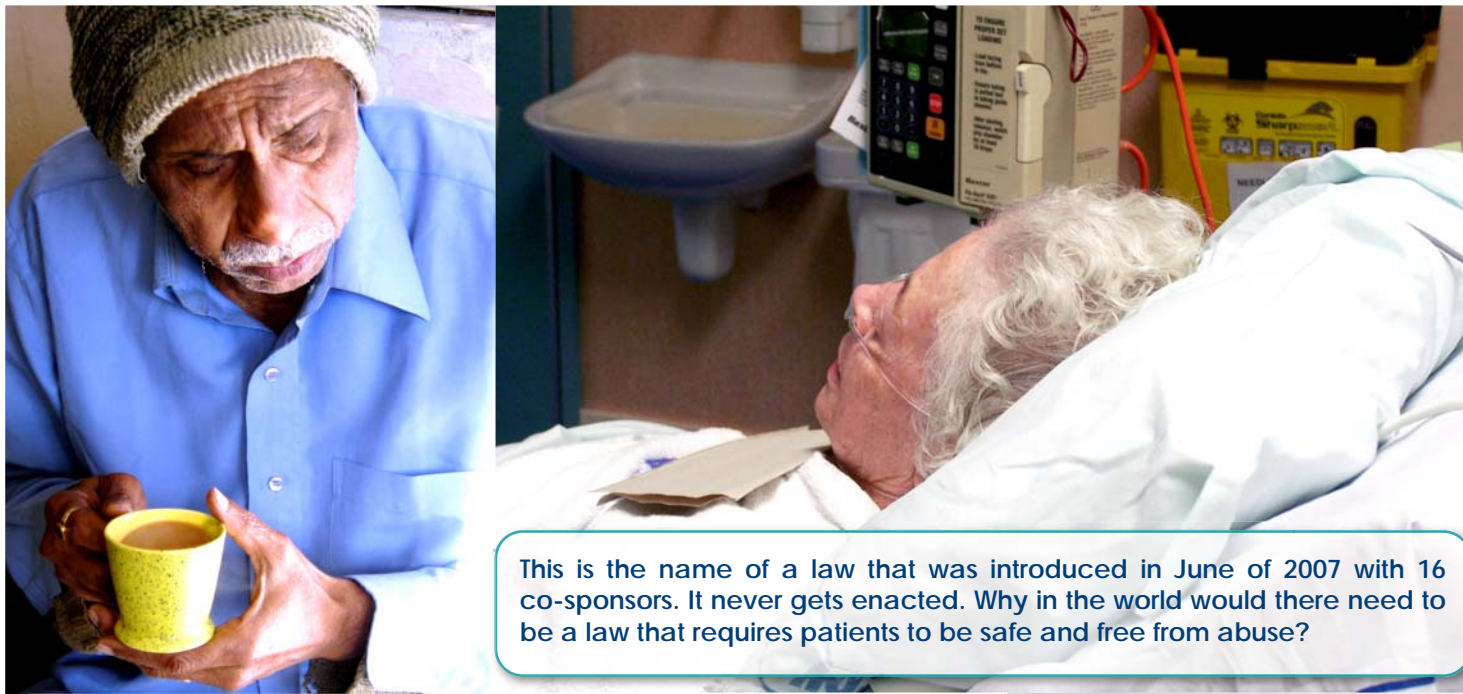




Patient Safety and Abuse Prevention Act



This is the name of a law that was introduced in June of 2007 with 16 co-sponsors. It never gets enacted. Why in the world would there need to be a law that requires patients to be safe and free from abuse?

According to a draft of this law, in 2004, various State Adult Protective Services received over half a million reports of elder and vulnerable adult abuse. More than 15,000 of these complaints came from nursing homes. Of these, 4,000 involved physical abuses, over 800 were cases of sexual abuse, and almost 1,000 were cases of financial exploitation. You might be thinking, how does this involve medical transportation?

An Associated Press investigation revealed that over an 18-month period, 129 ambulance attendants had been accused of sex crimes. While not all of the events occurred while the perpetrators were on duty, patients have been sexually molested while being transported. Sex-related complaints regarding ambulance personnel have been received by health officials in 23 states. Surprisingly, 28 states don't automatically bar known sex offenders from medical transportation work, and only 22 states keep sex-offenders from working as EMTs.

A lawyer described working in medical transportation as a "dream job for a sexual predator." Think about the vulnerability of our clients. It doesn't matter if it's an emergency response, a non-emergency transfer or a wheelchair transport. Our clients call us because they need us to do something that they can't do for themselves.

The purpose of this law was to decrease the likelihood of abuse by formalizing the use of background checks to eliminate the risk of hiring individuals who may be abusers. The rationale is that the best predictor of future behavior is past behavior. The Department of Health and Human Services conducted a study in 2006 and made several conclusions: criminal background checks are valuable; the use of criminal background checks does not shrink the applicant pool; and a "correlation exists between criminal history and incidences of abuse."

If you're not doing criminal checks, maybe it's something to think about. Other health care professionals such as physicians, mental health workers, physical therapists and occupational therapists have formal policies such as "Prevention of Sexual Abuse of Patients." These policies have been around for decades. There are people working in our industry that shouldn't. A policy reinforces the culture of zero tolerance for sexual abuse. It also reminds us to communicate better so that our actions are not misinterpreted.