

45 **WHEREAS**, Patients in custody have rights to informed consent and refusal of
46 medical interventions and rights to privacy and confidentiality that are similar to those of
47 other patients; and NOW THEREFORE

48
49 **BE IT RESOLVED**, That our OSMA advocate that law enforcement remain with
50 any patient they bring to the ED who are intoxicated, altered, agitated, or otherwise
51 pose a risk to the safety of themselves or others until a disposition has been
52 determined, or at which time they mutually agree with the treating physician that their
53 assistance is no longer needed.

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55 Fiscal Note: \$ (Sponsor)
56 \$ 10,000 (Staff)

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58 **References:**

- 59 1. ACEP Policy Protection from Violence in the Emergency Department, April
60 2016. <https://www.acep.org/patient-care/policystatements/protection-from-violence-in-the-emergency-department/#:~:text=The%20American%20College%20of%20Emergency%20Physicians%20%28ACEP%29%20believes,protected%20against%20violent%20acts%20occurring%20within%20the%20department> Accessed June 23, 2022.
65
- 66 2. Phillips JP. Workplace Violence against Health Care Workers in the United
67 States. *N Engl J Med.* 2016;374(17):1661-1669. doi:10.1056/NEJMra1501998
68
- 69 3. <https://www.emergencyphysicians.org/globalassets/files/pdfs/2018acep-emergency-department-violence-pollresults-2.pdf> Accessed June 9, 2022.
71
- 72 4. Law Enforcement and Emergency Medicine: An Ethical Analysis, May 2016.
73 [https://www.annemergmed.com/article/S0196-0644\(16\)00117-7/fulltext](https://www.annemergmed.com/article/S0196-0644(16)00117-7/fulltext) Accessed
74 June 23, 2022.
75
- 76 5. Policy 20 – 2016 – Improving Outcomes of Law Enforcement Responses to
77 Mental Health Crisis through the Crisis Intervention Team Model