

1 ENGROSSED HOUSE  
2 BILL NO. 2154

By: Roe of the House

and

Thompson (Kristen) of the  
Senate

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5  
6 An Act relating to health care facility violence;  
7 amending 21 O.S. 2021, Section 650.4, which relates  
8 to assault and battery upon medical care provider;  
9 amending definition of medical care provider to  
10 include any employee or independent contractor of a  
11 health care facility; amending 21 O.S. 2021,  
12 Section 650.5, which relates to aggravated assault  
13 and battery or assault with firearm upon medical  
14 technician or care provider; amending definition of  
15 medical care provider to include any employee or  
16 independent contractor of a health care facility;  
17 amending 63 O.S. 2021, Section 1-114.3, which  
18 relates to warning sign for assault of medical  
19 professional; adding requirements for reporting  
20 assaults; providing what criteria to report;  
21 requiring the State Department of Health to publish  
22 data on its website; and providing an effective  
23 date.

24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 2021, Section 650.4, is  
amended to read as follows:

Section 650.4 A. Every person who, without justifiable or  
excusable cause and with intent to do bodily harm, commits any  
assault, battery or assault and battery upon the person of a medical  
care provider who is performing medical care duties, upon  
conviction, is guilty of a felony punishable by imprisonment in the

1 custody of the Department of Corrections for a term not exceeding  
2 two (2) years, or by a fine not exceeding One Thousand Dollars  
3 (\$1,000.00), or by both such fine and imprisonment.

4 B. As used in this section, "medical care provider" means  
5 doctors, residents, interns, nurses, nurses' aides, ambulance  
6 attendants and operators, paramedics, emergency medical technicians,  
7 laboratory technicians, radiologic technologists, physical  
8 therapists, physician assistants, chaplains, volunteers,  
9 pharmacists, nursing students, medical students ~~and~~, members of a  
10 hospital security force, and any other employees working in or for a  
11 health care facility or independent contractors in one of the listed  
12 categories.

13 SECTION 2. AMENDATORY 21 O.S. 2021, Section 650.5, is  
14 amended to read as follows:

15 Section 650.5 A. Every person who, without justifiable or  
16 excusable cause and with intent to do bodily harm, commits any  
17 aggravated assault and battery or any assault with a firearm or  
18 other deadly weapon upon the person of a medical care provider, upon  
19 conviction, is guilty of a felony punishable by imprisonment in the  
20 custody of the Department of Corrections for a term not less than  
21 two (2) years nor more than five (5) years, or by a fine not to  
22 exceed One Thousand Dollars (\$1,000.00), or by both such fine and  
23 imprisonment.

1 B. As used in this section, "medical care provider" means  
2 doctors, residents, interns, nurses, nurses' aides, ambulance  
3 attendants and operators, paramedics, emergency medical technicians,  
4 laboratory technicians, radiologic technologists, physical  
5 therapists, physician assistants, chaplains, volunteers,  
6 pharmacists, nursing students, medical students ~~and~~, members of a  
7 hospital security force, and any other employees or independent  
8 contractors working in or for a health care facility.

9 SECTION 3. AMENDATORY 63 O.S. 2021, Section 1-114.3, is  
10 amended to read as follows:

11 Section 1-114.3 A. Every hospital, health clinic and ambulance  
12 service shall display at all times in a prominent place a printed  
13 sign with a minimum height of twenty (20) inches and a minimum width  
14 of fourteen (14) inches, with each letter to be a minimum of one-  
15 fourth (1/4) inch in height, which shall read as follows:

16 WARNING: ASSAULTING A MEDICAL PROFESSIONAL WHO IS ENGAGED IN THE  
17 PERFORMANCE OF HIS OR HER OFFICIAL DUTIES IS A SERIOUS CRIME.

18 Section 650.4 of Title 21 of the Oklahoma Statutes.

19 B. Every hospital, health clinic and ambulance service shall  
20 report by January 31 all assaults for the prior year on all medical  
21 care providers in the facility, on facility property, or while  
22 performing duties in an official capacity to the State Department of  
23 Health on an annual basis without any identifying information  
24

1 regarding the individual who was assaulted or who committed the  
2 assault. The following data shall be provided to the Department:

- 3 1. An aggregate number of individuals assaulted annually;
- 4 2. The type of assault, either verbal, physical, and/or sexual;
- 5 3. Role of the perpetrator, either coworker, patient, or  
6 patient's family; and
- 7 4. Location of the assault.

8 The State Department of Health shall have rulemaking authority to  
9 implement the provisions of this section.

10 C. The State Department of Health shall not make public any  
11 identifiable information in regard to facility, individual or  
12 location of assaults, if such information is received. The  
13 Department shall publish on its website, on an annual basis,  
14 aggregate numbers for the data collected pursuant to subsection B of  
15 this section.

16 SECTION 4. This act shall become effective November 1, 2023.

17 Passed the House of Representatives the 9th day of March, 2023.

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19 \_\_\_\_\_  
20 Presiding Officer of the House  
of Representatives

21 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2023.

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24 Presiding Officer of the Senate