

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2154

By: Roe

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5
6 AS INTRODUCED

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

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

1 care provider ~~who is performing medical care duties~~, upon
2 conviction, is guilty of a felony punishable by imprisonment in the
3 custody of the Department of Corrections for a term not exceeding
4 two (2) years, or by a fine not exceeding One Thousand Dollars
5 (\$1,000.00), or by both such fine and imprisonment.

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

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

16 Section 650.5 A. Every person who, without justifiable or
17 excusable cause and with intent to do bodily harm, commits any
18 aggravated assault and battery or any assault with a firearm or
19 other deadly weapon upon the person of a medical care provider, upon
20 conviction, is guilty of a felony punishable by imprisonment in the
21 custody of the Department of Corrections for a term not less than
22 two (2) years nor more than five (5) years, or by a fine not to
23 exceed One Thousand Dollars (\$1,000.00), or by both such fine and
24 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 of a health care
8 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~~ may display at all times in a prominent place a
13 printed sign with a minimum height of twenty (20) inches and a
14 minimum width of fourteen (14) inches, with each letter to be a
15 minimum of one-fourth (1/4) inch in height, which shall read as
16 follows:

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

19 Section 650.4 of Title 21 of the Oklahoma Statutes.

20 B. Every hospital, health clinic and ambulance service shall
21 report all assaults on all medical care providers in the facility or
22 on facility property to the State Department of Health on an annual
23 basis without any identifying information regarding the individual
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1 who was assaulted or who committed the assault. The following data
2 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 aggregate
14 numbers for the data collected pursuant to subsection B of this
15 section.

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

18 59-1-5479 TJ 01/10/23