

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1290

By: Weaver

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5
6 AS INTRODUCED

7 An Act relating to medical care providers; providing
8 for the Medical Care Provider Protection Act;
9 amending 21 O.S. 2011, Section 650.4, which relates
10 to assault and battery upon medical care providers;
11 modifying penalty; modifying definition; amending 21
12 O.S. 2011, Section 650.5, which relates to aggravated
13 assault and battery upon medical care providers;
14 modifying penalty; providing for certain signage;
15 providing for certain reporting; providing for
16 noncodification; providing for codification; and
17 providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law not to be
20 codified in the Oklahoma Statutes reads as follows:

21 This act shall be known and may be cited as the "Medical Care
22 Provider Protection Act".

23 SECTION 2. AMENDATORY 21 O.S. 2011, Section 650.4, is
24 amended to read as follows:

25 Section 650.4. A. Every person who, without justifiable or
26 excusable cause and with intent to do bodily harm, commits any
27 assault, battery or assault and battery upon the person of ~~an~~

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

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

14 SECTION 3. AMENDATORY 21 O.S. 2011, 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 ~~an emergency medical~~
20 ~~technician or other emergency~~ a medical care provider, upon
21 conviction, is guilty of a felony punishable by imprisonment in ~~a~~
22 ~~state correctional institution~~ the custody of the Department of
23 Corrections for a term not less than two (2) years nor more than ~~one~~

1 ~~(1) year~~ five (5) years, or by a fine not to exceed One Thousand
2 Dollars (\$1,000.00), or by both such fine and imprisonment.

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

11 SECTION 4. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1-114.3 of Title 63, unless
13 there is created a duplication in numbering, reads as follows:

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

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

21 Section 650.4 of Title 21 of the Oklahoma Statutes.

22 B. Every hospital, health clinic and ambulance service shall
23 report all assaults on medical care providers to the State
24 Department of Health on an annual basis. The State Department of

1 Health shall have rulemaking authority to implement the provisions
2 of this section.

3 C. The Department of Health shall not make public any
4 identifiable information in regard to facility, individual or
5 location of assaults.

6 SECTION 5. This act shall become effective November 1, 2020.

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