

1 **SENATE FLOOR VERSION**

February 12, 2020

2 **AS AMENDED**

3 SENATE BILL NO. 1290

By: Weaver and Pemberton of the
Senate

4 and

5 Roe of the House
6

7
8 **[Medical Care Provider Protection Act - assault and
battery upon medical care providers - signage -
9 noncodification - codification - effective date]**
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

18 Section 650.4. A. Every person who, without justifiable or
19 excusable cause and with intent to do bodily harm, commits any
20 assault, battery or assault and battery upon the person of ~~an~~
21 ~~emergency~~ a medical care provider who is performing medical care
22 duties, upon conviction, is guilty of a felony punishable by
23 imprisonment in the custody of the Department of Corrections for a
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1 term not exceeding two (2) years, or by a fine not exceeding One
2 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

3 B. As used in this section, "~~emergency~~ medical care provider"
4 means doctors, residents, interns, nurses, nurses' aides, ambulance
5 attendants and operators, paramedics, emergency medical technicians,
6 and 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 3. AMENDATORY 21 O.S. 2011, Section 650.5, is
12 amended to read as follows:

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

23 B. As used in this section, "medical care provider" means
24 doctors, residents, interns, nurses, nurses' aides, ambulance

1 attendants and operators, paramedics, emergency medical technicians,
2 laboratory technicians, radiologic technologists, physical
3 therapists, physician assistants, chaplains, volunteers,
4 pharmacists, nursing students, medical students, members of a
5 hospital security force and any other employees of a healthcare
6 facility.

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

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

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

17 Section 650.4 of Title 21 of the Oklahoma Statutes.

18 B. Every hospital, health clinic and ambulance service shall
19 report all assaults on medical care providers to the State
20 Department of Health on an annual basis. The State Department of
21 Health shall have rulemaking authority to implement the provisions
22 of this section.

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
6 February 12, 2020 - DO PASS AS AMENDED
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