1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	2nd Session of the 57th Legislature (2020)
4	ENGROSSED SENATE
5	BILL NO. 1290  By: Weaver, Pemberton, Hall, Coleman, Sharp, McCortney, Bergstrom, Stanley and Bice
6	of the Senate
7	and
8	Roe of the House
9	
10	An Act relating to medical care providers; providing for the Medical Care Provider Protection Act;
11	amending 21 O.S. 2011, Section 650.4, which relates to assault and battery upon medical care providers;
12	modifying penalty; modifying definition; amending 21 O.S. 2011, Section 650.5, which relates to aggravated
13	assault and battery upon medical care providers; modifying penalty; providing for certain signage;
14	providing for certain reporting; providing for noncodification; providing for codification; and
15	providing an effective date.
16	
17	
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:

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

- B. As used in this section, "emergency medical care provider" means doctors, residents, interns, nurses, nurses' aides, ambulance attendants and operators, paramedics, emergency medical technicians, laboratory technicians, radiologic technologists, physical therapists, physician assistants, chaplains, volunteers, pharmacists, nursing students, medical students and members of a hospital security force.
- SECTION 3. AMENDATORY 21 O.S. 2011, Section 650.5, is amended to read as follows:

Section 650.5. A. Every person who, without justifiable or excusable cause and with intent to do bodily harm, commits any aggravated assault and battery or any assault with a firearm or other deadly weapon upon the person of an emergency medical technician or other emergency a medical care provider, upon conviction, is guilty of a felony punishable by imprisonment in a state correctional institution the custody of the Department of

- 1 | Corrections for a term not less than two (2) years nor more than one
- 2 | <del>(1) year</del> five (5) years, or by a fine not to exceed One Thousand
- 3 Dollars (\$1,000.00), or by both such fine and imprisonment.
- 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.
- 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.
7	
8	DIRECT TO CALENDAR.
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	

SB1290 HFLR BOLD FACE denotes Committee Amendments.