

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1219 Session of 2015

INTRODUCED BY WARD, ACOSTA, CUTLER, BAKER, SCHWEYER, O'BRIEN, CAUSER, HARHART, D. PARKER, GROVE, KAUFFMAN, COHEN, GOODMAN, MAJOR, ZIMMERMAN, WATSON, MILNE, GILLEN, PICKETT, MURT, GINGRICH, KORTZ, EVERETT, MCGINNIS, READSHAW, D. COSTA, DUSH AND DAVIS, MAY 14, 2015

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, JANUARY 26, 2016

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in assault, further providing for the
3 offense of aggravated assault.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 2702(d) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended and subsection (c) is amended
8 by adding a paragraph to read:

9 § 2702. Aggravated assault.

10 * * *

11 (c) Officers, employees, etc., enumerated.--The officers,
12 agents, employees and other persons referred to in subsection
13 (a) shall be as follows:

14 * * *

15 (39) A health care practitioner in a health care
16 facility.

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1 (d) Definitions.--As used in this section, the following
2 words and phrases shall have the meanings given to them in this
3 subsection:

4 "Electric or electronic incapacitation device." A portable
5 device which is designed or intended by the manufacturer to be
6 used, offensively or defensively, to temporarily immobilize or
7 incapacitate persons by means of electric pulse or current,
8 including devices operated by means of carbon dioxide
9 propellant. The term does not include cattle prods, electric
10 fences or other electric devices when used in agricultural,
11 animal husbandry or food production activities.

12 "Emergency medical services personnel." The term includes,
13 but is not limited to, doctors, residents, interns, registered
14 nurses, licensed practical nurses, nurse aides, ambulance
15 attendants and operators, paramedics, emergency medical
16 technicians and members of a hospital security force while
17 working within the scope of their employment.

18 ~~"Health care facility." Any of the following:~~ <--

19 ~~(1) A physician's office.~~

20 ~~(2) A general, tuberculosis, mental, chronic disease or~~
21 ~~other type of hospital.~~

22 ~~(3) An ambulatory clinic or center.~~

23 ~~(4) A health maintenance organization, institution and~~
24 ~~corporation medical department and center.~~

25 ~~(5) A student health center.~~

26 ~~(6) A physical rehabilitation facility.~~

27 ~~(7) A skilled or intermediate care nursing facility.~~

28 ~~(8) A radiology laboratory.~~

29 ~~(9) A renal dialysis center.~~

30 ~~(10) A diagnostic center.~~

1 ~~(11) A home health care agency.~~

2 ~~(12) A clinical laboratory.~~

3 ~~(13) A program affiliated with a medical care facility~~
4 ~~which renders treatment or care for drug or alcohol abuse or~~
5 ~~dependence.~~

6 ~~(14) A setting where medical care and services are~~
7 ~~rendered.~~

8 ~~"Health care practitioner." An individual who is authorized~~
9 ~~to practice some component of the healing arts by a license,~~
10 ~~permit, certificate or registration issued by a Commonwealth~~
11 ~~licensing agency or board.~~

12 ~~"HEALTH CARE PRACTITIONER." AS DEFINED IN SECTION 103 OF THE <--~~
13 ~~ACT OF JULY 19, 1979 (P.L.130, NO.48), KNOWN AS THE HEALTH CARE~~
14 ~~FACILITIES ACT.~~

15 Section 2. This act shall take effect in 60 days.