

An Act

ENROLLED SENATE
BILL NO. 1290

By: Weaver, Pemberton, Hall,
Coleman, Sharp, McCortney,
Bergstrom, Stanley and Bice
of the Senate

and

Roe and Taylor of the House

An Act relating to medical care providers; providing for the Medical Care Provider Protection Act; amending 21 O.S. 2011, Section 650.4, which relates to assault and battery upon medical care providers; modifying penalty; modifying definition; amending 21 O.S. 2011, Section 650.5, which relates to aggravated assault and battery upon medical care providers; modifying penalty; providing for certain signage; providing for certain reporting; providing for noncodification; providing for codification; and providing an effective date.

SUBJECT: Medical care providers

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

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

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

SECTION 2. AMENDATORY 21 O.S. 2011, 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 ~~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 Corrections for a term not less than two (2) years nor more than ~~one~~ (1) year five (5) years, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

B. As used in this section, "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 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-114.3 of Title 63, unless there is created a duplication in numbering, reads as follows:

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

WARNING: ASSAULTING A MEDICAL PROFESSIONAL WHO IS ENGAGED IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTIES IS A SERIOUS CRIME.
Section 650.4 of Title 21 of the Oklahoma Statutes.

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

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

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

Passed the Senate the 5th day of March, 2020.

Presiding Officer of the Senate

Passed the House of Representatives the 13th day of May, 2020.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____