



GOV. MSG. NO. 604

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 27, 2010

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 27, 2010, the following bill was signed into law:

HB2349 HD1 SD2 CD1

A BILL FOR AN ACT
RELATING TO VIOLENCE AGAINST HEALTH CARE
PERSONNEL.
ACT 146 (10)

Sincerely,



LINDA LINGLE

Approved by the Governor

on MAY 27 2010

HOUSE OF REPRESENTATIVES
TWENTY-FIFTH LEGISLATURE, 2010
STATE OF HAWAII

ACT 146

H.B. NO. 2349
H.D. 1
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. Section 707-711, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:
- 3 "(1) A person commits the offense of assault in the second
4 degree if:
- 5 (a) The person intentionally or knowingly causes
6 substantial bodily injury to another;
- 7 (b) The person recklessly causes serious or substantial
8 bodily injury to another;
- 9 (c) The person intentionally or knowingly causes bodily
10 injury to a correctional worker, as defined in section
11 710-1031(2), who is engaged in the performance of duty
12 or who is within a correctional facility;
- 13 (d) The person intentionally or knowingly causes bodily
14 injury to another with a dangerous instrument;
- 15 (e) The person intentionally or knowingly causes bodily
16 injury to an educational worker who is engaged in the
17 performance of duty or who is within an educational
18 facility. For the purposes of this paragraph,



1 "educational worker" means: any administrator,
2 specialist, counselor, teacher, or employee of the
3 department of education or an employee of a charter
4 school; a person who is a volunteer, as defined in
5 section 90-1, in a school program, activity, or
6 function that is established, sanctioned, or approved
7 by the department of education; or a person hired by
8 the department of education on a contractual basis and
9 engaged in carrying out an educational function;

10 (f) The person intentionally or knowingly causes bodily
11 injury to any emergency medical services [~~personnel~~]
12 provider who is engaged in the performance of duty.

13 For the purposes of this paragraph, "emergency medical
14 services [~~personnel~~" shall have the same meaning as in
15 ~~section 321-222,~~] provider" means emergency medical
16 services personnel, as defined in section 321-222, and
17 physicians, physician's assistants, nurses, nurse
18 practitioners, certified registered nurse
19 anesthetists, respiratory therapists, laboratory
20 technicians, radiology technicians, and social
21 workers, providing services in the emergency room of a
22 hospital; or



1 includes but is not limited to an educational worker.

2 "Educational worker" has the same meaning as defined
3 in section 707-711;

4 (d) Against any emergency medical services [~~personnel~~]
5 provider who is engaged in the performance of duty.

6 For purposes of this paragraph, "emergency medical
7 services [~~personnel~~ shall have the same meaning as in
8 section 321-222,] provider" means emergency medical
9 services personnel, as defined in section 321-222, and
10 physicians, physician's assistants, nurses, nurse
11 practitioners, certified registered nurse
12 anesthetists, respiratory therapists, laboratory
13 technicians, radiology technicians, and social
14 workers, providing services in the emergency room of a
15 hospital; or

16 (e) With the use of a dangerous instrument."

17 SECTION 3. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 5. This Act shall take effect upon its approval.



H.B. NO. 2349
H.D. 1
S.D. 2
C.D. 1

APPROVED this 27 day of MAY, 2010



GOVERNOR OF THE STATE OF HAWAII