
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 (g) The person intentionally or knowingly causes bodily
 2 injury to a person employed at a state-operated or
 3 -contracted mental health facility. For the purposes
 4 of this paragraph, "a person employed at a state-
 5 operated or -contracted mental health facility"
 6 includes health care professionals as defined in
 7 section 451D-2, administrators, orderlies, security
 8 personnel, volunteers, and any other person who is
 9 engaged in the performance of a duty at a state-
 10 operated or -contracted mental health facility."

11 SECTION 2. Section 707-716, Hawaii Revised Statutes, is
 12 amended by amending subsection (1) to read as follows:

13 "(1) A person commits the offense of terroristic
 14 threatening in the first degree if the person commits
 15 terroristic threatening:

- 16 (a) By threatening another person on more than one
 17 occasion for the same or a similar purpose;
- 18 (b) By threats made in a common scheme against different
 19 persons;
- 20 (c) Against a public servant arising out of the
 21 performance of the public servant's official duties.

22 For the purposes of this paragraph, "public servant"

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.



Report Title:

Assault; Terroristic Threatening; Emergency Medical Service

Description:

Extends protection from assault and terroristic threatening to persons providing services in a hospital emergency room.

(HB2349 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

