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# 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 a physician, physician's assistant, nurse, or nurse  
 18 practitioner who provides medical services in the  
 19 emergency room of a hospital; or

20 (g) The person intentionally or knowingly causes bodily  
 21 injury to a person employed at a state-operated or  
 22 -contracted mental health facility. For the purposes



1 of this paragraph, "a person employed at a state-  
2 operated or -contracted mental health facility"  
3 includes health care professionals as defined in  
4 section 451D-2, administrators, orderlies, security  
5 personnel, volunteers, and any other person who is  
6 engaged in the performance of a duty at a state-  
7 operated or -contracted mental health facility."

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

10 "(1) A person commits the offense of terroristic  
11 threatening in the first degree if the person commits  
12 terroristic threatening:

13 (a) By threatening another person on more than one  
14 occasion for the same or a similar purpose;

15 (b) By threats made in a common scheme against different  
16 persons;

17 (c) Against a public servant arising out of the  
18 performance of the public servant's official duties.  
19 For the purposes of this paragraph, "public servant"  
20 includes but is not limited to an educational worker.  
21 "Educational worker" has the same meaning as defined  
22 in section 707-711;



1 (d) Against any emergency medical services [~~personnel~~]  
2 provider who is engaged in the performance of duty.  
3 For purposes of this paragraph, "emergency medical  
4 services [~~personnel~~" shall have the same meaning as in  
5 ~~section 321-222;~~ provider" means emergency medical  
6 services personnel, as defined in section 321-222, and  
7 a physician, physician's assistant, nurse, or nurse  
8 practitioner who provides medical services in the  
9 emergency room of a hospital; or

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

11 SECTION 3. This Act does not affect rights and duties that  
12 matured, penalties that were incurred, and proceedings that were  
13 begun before its effective date.

14 SECTION 4. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect on July 1, 2050.

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**Report Title:**

Assault; Terroristic Threatening; Emergency Medical Service

**Description:**

Extends protection from assault and terroristic threatening to emergency room personnel. Effective July 1, 2050. (SD2)

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

