



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 6, 2018

**GOV. MSG. NO. 1248**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 6, 2018, the following bill was signed into law:

HB1906 HD2 SD2 CD1

RELATING TO HEALTH CARE WORKERS  
**ACT 147 (18)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

on JUL 06 2018

HOUSE OF REPRESENTATIVES  
TWENTY-NINTH LEGISLATURE, 2018  
STATE OF HAWAII

ACT 147  
H.B. NO.

1906  
H.D. 2  
S.D. 2  
C.D. 1

---

---

# A BILL FOR AN ACT

RELATING TO HEALTH CARE WORKERS.

**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, knowingly, or recklessly  
6 causes substantial bodily injury to another;  
7 (b) The person recklessly causes serious bodily injury to  
8 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 provider who  
12 is engaged in the performance of duty. For the  
13 purposes of this paragraph, "emergency medical  
14 services provider" means emergency medical services  
15 personnel, as defined in section 321-222, and  
16 physicians, physician's assistants, nurses, nurse  
17 practitioners, certified registered nurse  
18 anesthetists, respiratory therapists, laboratory  
19 technicians, radiology technicians, and social  
20 workers, providing services in the emergency room of a  
21 hospital;



- 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 (h) The person intentionally or knowingly causes bodily  
12 injury to a person who:
- 13 (i) The defendant has been restrained from, by order  
14 of any court, including an ex parte order,  
15 contacting, threatening, or physically abusing  
16 pursuant to chapter 586; or
- 17 (ii) Is being protected by a police officer ordering  
18 the defendant to leave the premises of that  
19 protected person pursuant to section 709-906(4),  
20 during the effective period of that order; [æ]



- 1 (i) The person intentionally or knowingly causes bodily  
2 injury to any firefighter or water safety officer who  
3 is engaged in the performance of duty. For the  
4 purposes of this paragraph, "firefighter" has the same  
5 meaning as in section 710-1012 and "water safety  
6 officer" means any public servant employed by the  
7 United States, the State, or any county as a lifeguard  
8 or person authorized to conduct water rescue or ocean  
9 safety functions[-];
- 10 (j) The person intentionally or knowingly causes bodily  
11 injury to a person who is engaged in the performance  
12 of duty at a health care facility as defined in  
13 section 323D-2. For purposes of this paragraph, "a  
14 person who is engaged in the performance of duty at a  
15 health care facility" shall include health care  
16 professionals as defined in section 451D-2, physician  
17 assistants, surgical assistants, advanced practice  
18 registered nurses, nurse aides, respiratory  
19 therapists, laboratory technicians, and radiology  
20 technicians;



1        (k) The person intentionally or knowingly causes bodily  
2        injury to a person who is engaged in providing home  
3        health care services, as defined in section 431:10H-  
4        201; or

5        (l) The person intentionally or knowingly causes bodily  
6        injury to a person, employed or contracted to work by  
7        a mutual benefit society, as defined in section 432:1-  
8        104, to provide case management services to an  
9        individual in a hospital, health care provider's  
10       office, or home, while that person is engaged in the  
11       performance of those services."

12       SECTION 2. This Act does not affect rights and duties that  
13       matured, penalties that were incurred, and proceedings that were  
14       begun before its effective date.

15       SECTION 3. Statutory material to be repealed is bracketed  
16       and stricken. New statutory material is underscored.

17       SECTION 4. This Act shall take effect upon its approval.

APPROVED this 06 day of JUL 11, 2018



GOVERNOR OF THE STATE OF HAWAII



HB No. 1906, HD 2, SD 2, CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki  
Speaker  
House of Representatives

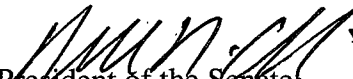



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 1, 2018  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the  
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.

  
President of the Senate

  
Clerk of the Senate