
DIGEST

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Armes

HB No. 256

Abstract: Creates the crime of battery of emergency room personnel, emergency services personnel, or a healthcare professional and provides penalties for the commission of the offense.

Proposed law creates the crime of battery of emergency room personnel, emergency services personnel, or a healthcare professional and defines the offense as a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is emergency room personnel, emergency services personnel, or a healthcare professional acting in the performance of employment duties.

Proposed law provides for the following definitions:

- (1) "Emergency room personnel" means a person in a hospital emergency department who, in the course and scope of his employment or as a volunteer, provides services for the benefit of the general public during emergency situations.
- (2) "Emergency services personnel" means all persons defined as "emergency medical services personnel" by R.S. 40:1300.103 and all persons defined as "emergency medical services practitioners" by R.S. 40:1231.
- (3) "Healthcare professional" means a person licensed or certified by this state to provide health care or professional services as a physician, dentist, registered or licensed practical nurse or certified nurse assistant, certified emergency medical technician, paramedic, certified registered nurse anesthetist, nurse practitioner, respiratory therapist, clinical nurse specialist, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, licensed radiologic technologist, licensed clinical laboratory scientist, or psychologist.

Proposed law provides for the following penalties:

- (1) A fine of not more than \$1,000, imprisonment for not less than 15 days nor more than six months, or both.
- (2) If the battery produces an injury which requires medical attention - A fine of not more than \$5,000, imprisonment with or without hard labor for not less than one year nor more than five years, or both.

(Adds R.S. 14:34.5.2)