



# FACT SHEET

## WYOMING LEGISLATIVE SERVICE OFFICE

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### ENHANCED PENALTIES FOR ASSAULT ON HEALTH CARE PROVIDERS

According to information provided by the National Conference of State Legislatures (NCSL), as of October 2016 twenty states have enhanced penalties for assault on health care providers. Most states' terminology or references use general terms like "health care workers" or "health care providers" (e.g. Alabama, Arizona, California, Iowa, Nevada, Utah) for staff that fall within the enhanced penalties statutes. A more specific reference is shown for Connecticut, which specifies "emergency room physicians and nurses." Florida's statutory reference notes inclusion of specific health service arenas or disciplines applicable to the term "health services personnel," such as rehabilitative services, drug abuse treatment, and mental health services. Table 1, below, depicts the states that have enhanced penalties, the statutory citation and the personnel that qualify for enhanced penalties. Statutory language related to health care providers is shown in **bold**.

**Table 1. Enhanced Penalties for Assault on Health Care Providers, by State.**

State	Citation	Personnel That Qualify for Enhanced Penalties
Alabama	§13A-6-21, §13A-6-22	Includes peace officers, detention or correctional officers, emergency medical personnel, utility workers, firefighters, teacher or employees of a public educational institution, and <b>health care workers</b> .
Arizona	§13-204	Aggravated penalties for assault of peace officers, constables, firefighters, emergency personnel, teachers or school employees, <b>health care workers</b> , prosecutors, code enforcement officers, state or municipal park rangers, public defenders, and judicial officers.
Arkansas	§5-13-202	Battery only. Includes law enforcement officers, firefighters, code enforcement officers, employees of a correctional facility, teachers, school employees, employees of the state, and <b>medical personnel</b> .
California	Penal Code §241	Includes peace officers, parking control officers, emergency personnel, firefighters, lifeguards, process servers, traffic officers, code enforcement officers, animal control officers, search and rescue members, and <b>health care providers</b> .

**Table 1. Enhanced Penalties for Assault on Health Care Providers, by State.**

State	Citation	Personnel That Qualify for Enhanced Penalties
Connecticut	§53a-167c	Includes peace officers, public safety personnel, emergency medical personnel, firefighters, Department of Corrections employees, members/employees of the Board of Pardons and Parole, probation officers, employees of the Department of Children and Families, employees of the Judicial Branch, <b>emergency room physicians and nurses</b> , public transit employees, motor vehicle employees, liquor control agents, members of a canine search and rescue team.
Florida	§784.07, §784.075, §784.076, §784.083	Includes law enforcement officers, firefighters, emergency medical care providers, public transportation employees, parking enforcement officers, security officers, railroad special officers, <b>health services providers</b> , code inspectors, and correctional facility officers.  Battery includes juvenile probation officers, persons employed by the Department of Juvenile Justice, persons employed at facilities licensed by the Department of Juvenile Justice, persons employed at facilities operated under a contract with the Department of Juvenile Justice, and <b>health services personnel (preventative, diagnostic, curative, or rehabilitative services and includes alcohol treatment, drug abuse treatment, and mental health services.)</b>
Iowa	§708.3A	Includes peace officers, jailers, correctional staff, members or employees of the Board of Parole, <b>health care providers</b> , employees of the Department of Human Services, employees of the Department of Revenue, and firefighters.
Louisiana	§14:33 et. seq.	Includes police officers, school teachers, sports officials, correctional facility employees, bus operators, emergency service personnel, <b>health care professionals</b> , child welfare or adult protective service workers, and utility workers.
Mississippi	§97-3-7	Includes statewide elected officials, law enforcement officers, firemen, emergency medical personnel, <b>public health personnel</b> , social workers, family protection specialists or family protection workers employed by the Department of Human Services or another agency, Division of Youth Services personnel, and any county or municipal jail officers, school employees, members of the Mississippi National Guard or United States Armed Forces, judges and officers of the court, district attorneys or legal assistants to a district attorney, prosecutors, public defenders, and utility workers.
Nebraska	§28-929 et. seq.	Includes peace officers, emergency responders, state correctional employees, Department of Health and Human Services employees, and <b>health care professionals</b> .
Nevada	§200.471, §200.481	Includes peace officers, firefighters, volunteers of the fire department, correctional officers, judges or officers of the court, state employees whose duties require they make home visits, <b>health care providers</b> , school employees sports officials, taxi cab drivers, and public transit operators.

**Table 1. Enhanced Penalties for Assault on Health Care Providers, by State.**

<b>State</b>	<b>Citation</b>	<b>Personnel That Qualify for Enhanced Penalties</b>
New Jersey	§2C:12-1	Includes law enforcement officers, firefighters, persons engaged in emergency first-aid or medical services, school employees, employees of the Division of Youth and Family Services, judges, motorbus operators or employees of a rail passenger service, corrections officers, utility workers, <b>health care workers including those at psychiatric facilities.</b>
New Mexico	§30-3-9 et. seq.	Includes school employees, sports officials, and <b>health care personnel.</b>
North Carolina	§14-34.6, §14-34.7	Includes emergency medical personnel, <b>healthcare providers</b> , firefighters, law enforcement officers, probation officers, parole officers and employees at correctional facilities, and members of the North Carolina National Guard.
Ohio	§2903.13	Includes peace officers, employees of a correctional facility, school employees (teachers or administrators or school bus operators), firefighters, emergency medical services personnel, <b>health care professionals</b> , employees of a children services agency, employees of the Department of Rehabilitation Services, judges, prosecutors, and other court employees.
Tennessee	§39-13-102	Includes any public employee or employees of a transportation system, law enforcement officers, firefighters, emergency medical personnel, <b>health care providers</b> , and other first responders.
Utah	§76-5-102 et. seq.	Includes school employees, peace officers, military service members, <b>health care providers</b> , and emergency medical service employees.
Vermont	13 VSA§1024, §1028, §1028a	Includes law enforcement officers, firefighters, <b>health care workers</b> , employees of the Department of Children and Families, employees of the Department of Corrections, and emergency medical personnel.
Washington	§9A.36.031	Includes court officers, transit operators, school bus drivers, school district employees, firefighters, <b>health care personnel</b> , and court-related employees.
West Virginia	§61-2-10b	Includes government representatives, <b>health care workers</b> , utility workers, emergency service personnel, and law enforcement officers.

**Source:** Legislative Service Office Research summary of information provided by NCSL.

If you need anything further, please contact LSO Research at 777-7881.