

SENATE BILL REPORT

SB 5002

As Reported By Senate Committee On:
Law & Justice, February 1, 1995

Title: An act relating to assault.

Brief Description: Making the assault of a nurse a felony.

Sponsors: Senators Smith, Haugen, Winsley, McCaslin, Wojahn, C. Anderson, Rasmussen, Moyer, Prentice, Rinehart, Long, Quigley, McAuliffe and Kohl.

Brief History:

Committee Activity: Law & Justice: 1/19/95, 2/1/95 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5002 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Haugen, Long, McCaslin, Quigley and Roach.

Staff: Dick Armstrong (786-7460)

Background: Current law recognizes that some people need greater protection from violence because of their occupation. These include certain types of public-oriented officials, law enforcement officers or employees, fire department employees, or transit operators.

If a person commits what normally constitutes a fourth-degree assault (gross misdemeanor) against these individuals while they are performing their official duties, the crime charged is a third-degree assault (class C felony).

Nurses and other health care workers contend that they are particularly vulnerable to assaults by others while performing their official duties. It is suggested that such health care workers be given added protection under the law to deter assaultive behavior.

Summary of Substitute Bill: An assault on a nurse or other health-care provider while in the performance of his or her nursing or health care duties is a third-degree assault (class C felony). The terms "nurse" and "health care provider" are defined.

Substitute Bill Compared to Original Bill: The terms "nurse" and "health care provider" are defined.

Appropriation: None.

Fiscal Note: Requested on January 12, 1995.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Nurses and health care professionals are often intentionally assaulted in the course of their duties. This bill is needed to increase awareness of the problem and to assure health care professionals the protections of the law. Increased penalties are also needed to help deter people from thinking they can assault a health care professional because nothing will happen to them as a result.

Testimony Against: None.

Testified: Sharon Ness, Marilyn Minch, Tani Walker, Ann Simons, UFCW Local 141 USNU; Mary Mertins, St. Peter Hospital; Lisa Thatcher, WSAA; John Mehring, SEIU; Nick Frederici, WSNA.