

## **BILL ANALYSIS**

H.B. 2858  
By: Gallego  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law makes it a crime for a person to assault an emergency medical services worker the actor knows is working in the line of duty. However, hospital staff who are similarly attacked must file charges and provide depositions before there are any charges against an offender. Interested parties have expressed concern that the emergency room is one of the most dangerous work places in health care because violent attacks on nurses and other medical workers are increasing nationwide as more drug addicts, alcoholics, and psychiatric patients come to emergency rooms for care. Recent surveys have shown that nearly half of all emergency room nurses said they have been physically assaulted on the job and a significant number reported being injured. The goal of H.B. 2858 is to extend to hospital staff in emergency departments the same protection granted to emergency medical services workers by including emergency room personnel in the definition of "emergency services personnel."

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2858 amends the Penal Code to redefine "emergency services personnel," for purposes of the penalty enhancement for assault when the actor commits the offense against a person the actor knows is emergency services personnel while the person is providing emergency services, to include emergency room personnel.

### **EFFECTIVE DATE**

September 1, 2011.