

Senate File 2159 - Introduced

SENATE FILE 2159

BY BOLKCOM

A BILL FOR

1 An Act relating to application of specific penalties to an
2 assault on a social worker under certain circumstances.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 708.3A, subsection 5, paragraph d, Code
2 2022, is amended to read as follows:

3 *d. "Health care provider"* means an emergency medical care
4 provider as defined in [chapter 147A](#) or a person licensed or
5 registered under [chapter 148](#), [148C](#), [148D](#), ~~or~~ [152](#), or [154C](#) who
6 is providing or who is attempting to provide emergency medical
7 services, as defined in [section 147A.1](#), or who is providing
8 or who is attempting to provide health services as defined
9 in [section 135.61](#) in a hospital. A person who commits an
10 assault under [this section](#) against a health care provider in
11 a hospital, or at the scene or during out-of-hospital patient
12 transportation in an ambulance, is presumed to know that the
13 person against whom the assault is committed is a health care
14 provider.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill adds licensed social workers to the list of
19 health care providers to whom specific penalties under current
20 law apply for assault when the assault is perpetrated on
21 such health care provider who is providing or attempting to
22 provide emergency medical services at the scene or during
23 out-of-hospital patient transportation in an ambulance or who
24 is providing or attempting to provide health services in a
25 hospital.

26 Under the bill, a person who commits an assault against
27 a health care provider, including a social worker, in the
28 specified situations, who knows that the person against whom
29 the assault is committed is a health care provider and with
30 the intent to inflict a serious injury upon the health care
31 provider is guilty of a class "D" felony. Additionally, a
32 person who commits an assault against a health care provider,
33 including a social worker, in the specified situations, who
34 knows that the person against whom the assault is committed is
35 a health care provider and who uses or displays a dangerous

1 weapon in connection with the assault is guilty of a class "D"
2 felony. A class "D" felony is punishable by confinement for no
3 more than five years and a fine of at least \$1,025 but not more
4 than \$10,245.

5 Under the bill, a person who commits an assault against
6 a health care provider, including a social worker, in the
7 specified situations, who knows that the person against
8 whom the assault is committed is a health care provider
9 and who causes bodily injury or mental illness is guilty of
10 an aggravated misdemeanor. An aggravated misdemeanor is
11 punishable by confinement for no more than two years and a fine
12 of at least \$855 but not more than \$8,540.

13 A person who commits any other assault against a health
14 care provider, including a social worker, in the specified
15 situations, who knows that the person against whom the
16 assault is committed is a health care provider commits a
17 serious misdemeanor. A serious misdemeanor is punishable by
18 confinement for no more than one year and a fine of at least
19 \$430 but not more than \$2,560.