

CHAPTER 1069
ASSAULTS AGAINST HEALTH CARE PROVIDERS
S.F. 2167

AN ACT relating to prohibiting the assault of a health care provider and providing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 708.3A, Code Supplement 1995, is amended to read as follows:

708.3A ASSAULTS ON PEACE OFFICERS, FIRE FIGHTERS, AND EMERGENCY HEALTH CARE PROVIDERS.

1. A person who commits an assault, as defined in section 708.1, against a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter, whether paid or volunteer, with the knowledge that the person against whom the assault is committed is a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter and with the intent to inflict a serious injury upon the peace officer, basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A, or fire fighter, is guilty of a class "D" felony.

2. A person who commits an assault, as defined in section 708.1, against a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter, whether paid or volunteer, who knows that the person against whom the assault is committed is a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter and who uses or displays a dangerous weapon in connection with the assault, is guilty of a class "D" felony.

3. A person who commits an assault, as defined in section 708.1, against a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter, whether paid or volunteer, who knows that the person against whom the assault is committed is a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter, and who causes bodily injury or disabling mental illness, is guilty of an aggravated misdemeanor.

4. Any other assault, as defined in section 708.1, committed against a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter, whether paid or volunteer, by a person who knows that the person against whom the assault is committed is a peace officer, ~~basic emergency medical health care provider under chapter 147, an advanced emergency medical care provider under chapter 147A,~~ or fire fighter, is a serious misdemeanor.

5. As used in this section, "health care provider" means an emergency medical care provider as defined in chapter 147A or a person licensed or registered under chapter 148, 148C, 148D, 150, 150A, or 152 who is providing or who is attempting to provide emergency medical services, as defined in section 147A.1, or who is providing or who is attempting to provide health services as defined in section 135.61 in a hospital. A person who commits an assault under this section against a health care provider in a hospital, or at the scene or during out-of-hospital patient transportation in an ambulance, is presumed to know that the person against whom the assault is committed is a health care provider.

Approved April 8, 1996