



# Ohio Legislative Service Commission

## Bill Analysis

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### S.B. 111

129th General Assembly  
(As Introduced)

**Sens.** Oelslager, Bacon, Schaffer, Widener, Tavares, Brown

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## BILL SUMMARY

- Increases the penalty for the offense of assault to a fourth degree felony if the victim of the offense is a health care professional, health care worker, or security officer of a hospital who is engaged in the performance of the individual's duties.

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## CONTENT AND OPERATION

### Existing law

Existing law prohibits a person from knowingly causing or attempting to cause physical harm to another or to another's unborn or recklessly causing serious physical harm to another or to another's unborn. A violation of the prohibition is the offense of "assault." Assault generally is a first degree misdemeanor, but it is a fifth degree felony if it is committed in specified circumstances against an employee of or visitor to a state or local criminal or juvenile correctional facility, it is a fourth degree felony if committed in specified circumstances against a person performing emergency medical service, and in a number of other specified circumstances it is a third, fourth, or fifth degree felony.<sup>1</sup>

### Operation of the bill

The bill expands the penalty enhancement provisions in the offense of assault to include an enhanced penalty if the victim of the offense is a "health care professional," "health care worker," or security officer of a hospital who is engaged in the performance of the individual's duties (see "**Definitions**," below, for definitions of the terms in quotations marks). In this circumstance, assault is a fourth degree felony.<sup>2</sup>

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<sup>1</sup> R.C. 2903.13.

<sup>2</sup> R.C. 2903.13(C)(6).

## Definitions

The following definitions are relevant to the provision described above:<sup>3</sup>

(1) "Health care professional" means any of the following who provide medical, dental, or other health-related diagnosis, care, or treatment and are authorized to practice or are licensed or certified under the applicable chapters of the Revised Code: physicians, registered nurses, licensed practical nurses, certified registered nurse anesthetists, clinical nurse specialists, certified nurse-midwives, certified nurse practitioners, physician assistants, dentists, dental hygienists, physical therapists, physical therapist assistants, occupational therapists, occupational therapy assistants, chiropractors, optometrists, podiatrists, dietitians, pharmacists, emergency medical technicians-basic, emergency medical technicians-intermediate, emergency medical technicians-paramedic, respiratory care professionals, speech-language pathologists, and audiologists.<sup>4</sup>

(2) "Health care worker" means a person other than a health care professional who provides medical, dental, or other health-related care or treatment under the direction of a health care professional with the authority to direct that individual's activities, including medical technicians, medical assistants, dental assistants, orderlies, aides, and individuals acting in similar capacities.<sup>5</sup>

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## HISTORY

ACTION	DATE
Introduced	03-08-11

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<sup>3</sup> R.C. 2903.13(D)(11).

<sup>4</sup> R.C. 2305.234(A)(5).

<sup>5</sup> R.C. 2305.234(A)(6).

