

SUBSTITUTE FOR
SENATE BILL NO. 642

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 81f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 81F. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A
2 PERSON WHO ASSAULTS, BATTERS, OR ASSAULTS AND BATTERS AN INDIVIDUAL
3 WHILE THE INDIVIDUAL IS PERFORMING HIS OR HER DUTIES AS A HEALTH
4 CARE PROFESSIONAL OR BECAUSE OF THE INDIVIDUAL'S STATUS AS A HEALTH
5 CARE PROFESSIONAL IS GUILTY OF A MISDEMEANOR PUNISHABLE BY
6 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN
7 \$1,000.00, OR BOTH.

8 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), A PERSON WHO
9 ASSAULTS OR ASSAULTS AND BATTERS AN INDIVIDUAL WHILE THE INDIVIDUAL
10 IS PERFORMING HIS OR HER DUTIES AS A HEALTH CARE PROFESSIONAL OR

1 BECAUSE OF THE INDIVIDUAL'S STATUS AS A HEALTH CARE PROFESSIONAL
2 AND CAUSES THE INDIVIDUAL ANY BODILY INJURY REQUIRING MEDICAL
3 ATTENTION IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT
4 MORE THAN 2 YEARS OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

5 (3) A PERSON WHO ASSAULTS OR ASSAULTS AND BATTERS AN
6 INDIVIDUAL WHILE THE INDIVIDUAL IS PERFORMING HIS OR HER DUTIES AS
7 HEALTH CARE PROFESSIONAL OR BECAUSE OF THE INDIVIDUAL'S STATUS AS A
8 HEALTH CARE PROFESSIONAL AND CAUSES THE INDIVIDUAL SERIOUS
9 IMPAIRMENT OF BODY FUNCTION IS GUILTY OF A FELONY PUNISHABLE BY
10 IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF NOT LESS THAN
11 \$1,000.00 OR MORE THAN \$5,000.00, OR BOTH.

12 (4) A CONVICTION OR SENTENCE IMPOSED FOR A VIOLATION OF THIS
13 SECTION DOES NOT PRECLUDE A CONVICTION OR SENTENCE FOR A VIOLATION
14 OF ANY OTHER APPLICABLE LAW.

15 (5) AS USED IN THIS SECTION:

16 (A) "HEALTH CARE PROFESSIONAL" MEANS ANY OF THE FOLLOWING:

17 (i) AN EMERGENCY MEDICAL TECHNICIAN.

18 (ii) AN AMBULANCE OPERATOR OR AMBULANCE ATTENDANT.

19 (iii) A NURSE.

20 (iv) A PHYSICAL THERAPIST.

21 (v) AN OCCUPATIONAL THERAPIST.

22 (vi) A PHYSICIAN.

23 (vii) A PHYSICIAN'S ASSISTANT.

24 (B) "SERIOUS IMPAIRMENT OF BODY FUNCTION" MEANS THAT PHRASE AS
25 DEFINED IN SECTION 58C OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
26 MCL 257.58C.