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Title: Penalties for Assaulting Medical Personnel

Introduced by: Domenic Federico, MD, for the Kent County Delegation

Original Author: Jayne Courts, MD

Referred to: Reference Committee B

House Action: **APPROVE**

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Whereas, patients in the emergency department can be agitated for various reasons, and

Whereas, emergency department personnel are at risk for assault with possible bodily injury, and

Whereas, most states have laws that allow prosecution of patients with a felony charge for assault, and

Whereas, such a law might discourage assault in emergency departments, and

Whereas, the state of Michigan is one of only eleven states without such a law, and

Whereas, MCL 750.81d of the Michigan Penal Code does provide for a felony penalty if an individual “assaults, batters, wounds, resists, obstructs, opposes, or endangers a person who the individual knows or has reason to know is performing his or her duties” and such persons include medical first responders, emergency medical technicians, paramedics, and emergency medical services instructor-coordinators, but does not include other health care professionals working in the emergency department or in other medical settings; therefore be it

RESOLVED: That MSMS seek legislation making the assault of emergency department personnel a felony; and be it further

RESOLVED: That MSMS seek legislation making assault of any medical personnel serving in a medical capacity or setting at the time of the assault a felony.

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WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE