

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO  
**SENATE, No. 2008**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 12, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2008.

As amended by the committee, this bill establishes the “Health Care-Heroes Violence Prevention Act.” Specifically, the bill expands the aggravating factors a court may consider pursuant to N.J.S.2C:44-1 in sentencing a defendant to include consideration of whether a defendant committed an offense against any health care professional or any volunteer for or employee of a health care professional or health care facility while the professional, volunteer, or employee was engaged in professional duties.

As amended, this bill also establishes the criminal offense of threats against a health care professional, a volunteer working for a health care professional or working at a health care facility, or an employee of a health care professional or health care facility. Specifically, a person is guilty of a disorderly persons offense if the person knowingly and willfully makes a threat against a covered person with the intent to intimidate, interfere with, or impede the performance of the covered person’s official duties. Further, a person is guilty of a disorderly persons offense if that person knowingly sends, delivers, or makes for the purposes of sending or delivering a threat to intimidate, interfere with, or impede the official duties of a health care professional or a volunteer for or employee of a health care professional or health care facility. A disorderly persons offense is punishable by imprisonment for up to six months, a fine of up to \$1,000, or both.

As amended, the bill defines “health care facility” as health care facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), a State or county psychiatric hospital, a State developmental center, or a health care service firm registered by the Division of Consumer Affairs in the Department of Law and Public Safety pursuant to P.L.1960, c.39 (C.56:8-1 et seq.). The bill defines “health care professional” as a person licensed or certified to practice a health care profession pursuant to Title 45 or Title 52 of the Revised Statutes.

The bill additionally provides that a person who commits assault against a health care professional or a volunteer for or employee of a health care professional or a health care facility may be sentenced to an anger management course of up to 12 hours or to up to 30 days of community service. A sentence to community service may stand in lieu of part of a sentence to incarceration.

Finally, as amended, the bill requires health care facilities and certain physicians to display a written notice stating the following: “It is a crime to assault a health care professional, any volunteer working for a health care professional or working at a health care facility, or any employee of a health care professional or a health care facility, while the health care professional, volunteer, or employee is performing official duties. Any person who assaults a health care professional, volunteer, or employee in violation of this prohibition shall be subject to a fine, imprisonment, or both under the New Jersey Code of Criminal Justice, N.J.S.2C:1-1 et seq.”

#### COMMITTEE AMENDMENTS

The committee amendments revise the bill to clarify that it applies to all employees and volunteers of both health care facilities and health care practitioners.

The committee amendments revise the definitions of both “health care facility” and “health care professional.”

The committee amendments add a new section to the bill expressly requiring physicians to post the same notice as was required for health care facilities under the bill as introduced.

The committee amendments revise the bill to ensure consistent use of terminology throughout the bill and to clarify the scope of certain provisions.