

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To protect hospital personnel from violence, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. MANCHIN (for himself and Mr. RUBIO) introduced the following bill;  
which was read twice and referred to the Committee on

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**A BILL**

To protect hospital personnel from violence, and for other  
purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safety From Violence  
5 for Healthcare Employees Act” or the “SAVE Act”.

6 **SEC. 2. PREVENTION OF VIOLENCE AGAINST HOSPITAL**  
7 **PERSONNEL.**

8 (a) **PROHIBITION ON INTERFERENCE WITH HOS-**  
9 **PITAL PERSONNEL IN THE PERFORMANCE OF DUTIES.—**

1 Chapter 7 of title 18, United States Code, is amended by  
2 adding at the end the following:

3 **“§ 120. Interference with performance of duties of**  
4 **hospital personnel**

5 “(a) IN GENERAL.—Whoever knowingly assaults an  
6 individual employed by a hospital engaged in interstate  
7 commerce, or an entity contracting with a hospital or  
8 other medical facility engaged in interstate commerce,  
9 during the course of the performance of the duties of such  
10 individual, and, as a result, interferes with the perform-  
11 ance of the duties of such individual or limits the ability  
12 of such individual to perform such duties, shall be fined  
13 under this title, imprisoned for not more than 10 years,  
14 or both.

15 “(b) ENHANCED PENALTIES.—

16 “(1) ACTS INVOLVING DANGEROUS WEAPONS  
17 OR ACTS THAT RESULT IN BODILY INJURY.—Who-  
18 ever, in the commission of any act described in sub-  
19 section (a), uses a deadly or dangerous weapon or  
20 inflicts serious bodily injury, shall be fined under  
21 this title, imprisoned for not more than 20 years, or  
22 both.

23 “(2) ACTS COMMITTED DURING EMERGENCY  
24 DECLARATIONS.—Whoever commits any act de-  
25 scribed in subsection (a) during the period of a dec-

1 laration of a public emergency for the area in which  
2 the act is committed shall be fined under this title,  
3 imprisoned for not more than 20 years, or both.

4 “(c) DEFENSE.—It shall be a defense to a prosecu-  
5 tion under this section that—

6 “(1) the defendant is a person with a physical,  
7 mental, or intellectual disability; and

8 “(2) the conduct of the defendant was a clear  
9 and direct manifestation of such disability.

10 “(d) DEFINITIONS.—In this section:

11 “(1) HOSPITAL.—The term ‘hospital’ means  
12 any of the following medical facilities:

13 “(A) A hospital (as defined in section  
14 1861(e) of the Social Security Act (42 U.S.C.  
15 1395x(e))).

16 “(B) A long-term care hospital (as defined  
17 in section 1861(ccc) of such Act (42 U.S.C.  
18 1395x(ccc))).

19 “(C) A rehabilitation facility (as described  
20 in section 1886(j)(1)(A) of such Act (42 U.S.C.  
21 1395ww(j)(1)(A))).

22 “(D) A children’s hospital (as described in  
23 section 1886(d)(1)(B)(iii) of such Act (42  
24 U.S.C. 1395ww(d)(1)(B)(iii))).

1           “(E) A cancer hospital (as described in  
2           section 1886(d)(1)(B)(v) of such Act (42  
3           U.S.C. 1395ww(d)(1)(B)(v))).

4           “(F) A critical access hospital (as defined  
5           in section 1861(mm)(1) of such Act (42 U.S.C.  
6           1395x(mm)(1))).

7           “(G) A rural emergency hospital (as de-  
8           fined in section 1861(kkk)(2) of such Act (42  
9           U.S.C. 1395x(kkk)(2))).

10          “(2) DECLARATION OF A PUBLIC EMER-  
11          GENCY.—The term ‘declaration of a public emer-  
12          gency’ means an emergency or major disaster de-  
13          clared by the President pursuant to the Robert T.  
14          Stafford Disaster Relief and Emergency Assistance  
15          Act (42 U.S.C. 5121 et seq.).”.

16          (b) CLERICAL AMENDMENT.—The table of sections  
17          for chapter 7 of title 18, United States Code, is amended  
18          by adding at the end the following:

          “120. Interference with performance of duties of hospital personnel.”.

19          **SEC. 3. GAO STUDY.**

20          The Comptroller General of the United States shall  
21          conduct a study on—

22                 (1) how this Act, and the amendments made by  
23                 this Act, has affected workplace violence in  
24                 healthcare settings; and

1           (2) whether Federal, State, and local prosecu-  
2           tions for workplace violence in healthcare settings  
3           have increased or decreased because of the ability to  
4           prosecute these incidents as Federal crimes.