

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2814 Session of
1992

INTRODUCED BY HARLEY, PESCI, NAHILL, HARPER, ROEBUCK, JOSEPHS,
HAGARTY, KRUSZEWSKI, CORNELL, STEELMAN, NOYE, RICHARDSON,
BUTKOVITZ, LINTON, BUNT, HECKLER AND NICKOL, JUNE 9, 1992

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 9, 1992

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting certain individuals from
3 preventing others from entering or leaving a medical
4 facility; providing exceptions; and imposing penalties.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 5516. Harassment at medical facilities.

10 (a) Offense defined.--A person commits a misdemeanor of the
11 third degree if he prevents or attempts to prevent an individual
12 from entering or leaving a medical facility by doing any of the
13 following:

14 (1) Physically detaining the individual.

15 (2) Physically obstructing, impeding or hindering the
16 individual's passage.

17 (b) Exception.--This section shall not prohibit an assembly
18 related to a labor dispute conducted in accordance with the act

1 of May 18, 1937 (P.L.674, No.177), known as the Pennsylvania
2 Labor Mediation Act, or the act of July 23, 1970 (P.L.563,
3 No.195), known as the Public Employee Relations Act.

4 (c) Penalty.--A person convicted of violating this section
5 shall be sentenced to pay a fine of not more than \$1,000 or to
6 serve a term of imprisonment of not more than 90 days, or both.

7 (d) Definitions.--As used in this section, the following
8 words and phrases shall have the meanings given to them in this
9 subsection:

10 "Action." The term does not include speech.

11 "Medical facility." A doctor's office or an agency, clinic,
12 facility or office operated under the direction or regulatory
13 authority of the Department of Health.

14 "Person." The term does not include any of the following:

15 (1) The chief executive officer of a medical facility.

16 (2) The chief executive officer's designee.

17 (3) An agent of a medical facility.

18 (4) A law enforcement officer acting within the proper
19 scope of his authority.

20 Section 2. This act shall take effect immediately.