

Senate Judiciary Committee

Brendan Bunnell 271-4063

SB 667-FN, relative to the assault of emergency room personnel.

Hearing Date: February 17, 2026

Time Opened: 2:52 p.m.

Time Closed: 3:14 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Altschiller and Reardon

Members of the Committee Absent: Senator Carson

Bill Analysis: This bill establishes felony-level offenses for the assault of emergency room personnel.

Sponsors:

Sen. McGough

Sen. Pearl

Sen. Avard

Sen. Gannon

Sen. Rochefort

Who supports the bill: 16 individuals signed in support of this bill. For a complete list of those who signed in support please email Brendan.Bunnell@gc.nh.gov.

Who opposes the bill: 150 individuals signed in opposition of this bill. For a complete list of those who signed in opposition please email Brendan.Bunnell@gc.nh.gov.

Who is neutral on the bill: None.

Summary of the testimony presented:

Senator Tim McGough (SD-11), introduced the bill, explaining that it was very personal to him as a paramedic. The senator explained that it would serve as a complimentary piece of legislation to SB 58, which had provided additional penalties for any assault on first responders. One of Senator McGough's dear friends, Dr. Lee Wheeler, had questioned why the legislature should stop at first responders and fail to protect all emergency care providers, and the Senator explained that this bill was meant to answer that question and fulfill the original intention behind SB 58.

- Explained that this bill would protect some assailments with the inclusion of "knowingly" to provide some protection for those experiencing a mental health crisis.

- Stated that he had been the sponsor of a bill in 1998 to make it a felony to assault a police dog or horse, and that it was only now that the legislature was considering extending the same protections to all emergency care providers.
- Explained that emergency care involves some of the most dangerous workplaces in the country, as the other testifiers can attest to.
- Senator Gannon questioned the rationale of those attacking emergency care professionals. He stated that attacks on police officers often occurred as a result of a hatred for their identity as law enforcement, and asked if a similar motivation was also present here or if the offenders were primarily those going through a mental health crisis.
 - Senator McGough answered that some offenders saw medical personnel as members of the public safety triangle. He stated that while the two roles are often confused, the presence of “knowingly” is meant to address the hypothetical of a mental health crisis that Senator Gannon referenced.
- Senator Altschiller asked why volunteers were included in line 10, and questioned how an individual would know who a volunteer is, and whether the penalties for assault should be raised in this case.
 - Senator McGough said that hospitals utilize many volunteers for their work, and that they often are considered part of the team by medical professionals. They wear badges that assist in recognizing them, and are ultimately recognizable in their role despite some increased difficulty in doing so.
- Senator Altschiller asked how this would protect those in the throws of a mental health crisis or overdose. She stated that those who come to the emergency room are not often in the best state either physically or mentally.
 - Senator McGough said that the wording of “knowingly inflict bodily injury” would protect these individuals.
 - Senator Gannon questioned whether these individuals would be knowingly assaulting these individuals because they happened to be medical personnel.

Ms. Karen Rosenberg, the Policy Director at the Disability Rights Center in New Hampshire, spoke in opposition to the bill. She stated that the bill was not necessary and prevented the risk of harming those experiencing disability.

- Spoke to the high degree of contention over the previously referenced bill, SB 58, which presented the risk of criminalizing mental illness in an attempt to protect emergency care professionals.
- Stated that much of her organization's concern with this bill is that there are already felony level charges involved for an individual that assaults anyone, including those in emergency care environments, and that this bill was unlikely to introduce an additional deterrence for those likely to commit violence in such scenarios, due to their mental circumstances.
- Expressed concern that this bill would only delay treatment for those struggling with disability, by increasing penalties.
- Stated that while her organization cared deeply for the potential harm done to emergency care workers, it would be better to focus on de-escalation techniques that could make these environments safer.

Ms. Holly Stevens, the Director of Public Policy at NAMI New Hampshire, spoke to her organization's concerns with the bill. She stated that her organization considered that safety of emergency care workers to be of vital importance, but expressed that this bill might only serve to significantly and punitively impact individuals with mental health difficulties and mental health crises without meaningfully improving safety for emergency care environments.

- Stated that the increased penalties would not act as a deterrent, as the offenders in a mental health crisis will be unlikely to know of the penalty when they lash out knowingly or unknowingly against medical personnel.
- Explained that the warrantless arrest statute in SB 58 already allows for the arrest of an individual in an aggressive or dangerous state in an emergency setting, even without an officer present to witness the initial violent action. Given this, SB 667 would only increase penalties without enhancing the safety of emergency care workers.
- Stated that it is vital that those in a mental health crisis receive the proper due process and that their care is not delayed by increased time spent in jails on account of this bill.

Ms. Charlene Ferrier, a nurse for 37 years primarily in New Hampshire and Executive Director of the New Hampshire Nurse's Association, spoke in support of the bill. She explained that workplace violence is a globally growing problem in healthcare settings, and can lead to increased job dissatisfaction, reduce the attraction of the nursing profession due to fear of violence, and lead to a toxic work environment.

- Stated that SB 667 was just one way to address the issue of workplace violence in emergency care settings, and was especially important given the medical workforce shortages in the state.
- Stated that this bill was complimented by SB 29, which was signed into law by the governor last year and which was concerned with data reporting in healthcare environments.
- Senator Gannon asked how this bill would add to the protections already established in SB 58.
 - Ms. Ferrier stated that incidents of violence in these environments have increased over the last 10 years and that there are many individuals that are knowingly violent, and that this bill would serve as a deterrent against their intentions.
- Senator Altschiller followed up on the question of Senator Gannon, asking how this would increase the level of safety in these environments.
 - Ms. Ferrier stated that she believed that increasing penalties would also decrease the occurrence of violence due to the increased deterrence introduced.
- Senator Altschiller asked if she was aware why the increased penalties introduced with SB 58 were failing to make these environments safer and questioned if deterrence was the correct policy in these circumstances.
 - Ms. Ferrier said that she was not an expert on SB 58 and unable to answer the question.