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DIVISION 4. GENERAL PROVISIONS [3274 - 9566] (*Heading of Division 4 amended by Stats. 1988, Ch. 160, Sec. 16.)*

PART 1. RELIEF [3274 - 3428] (*Part 1 enacted 1872.)*

TITLE 6. INTERFERENCE WITH ACCESS TO HEALTH CARE [3427 - 3427.4] (*Title 6 added by Stats. 1994, Ch. 1193, Sec. 1.)*

[3427.](#) As used in this title:

(a) "Aggrieved" means and refers to any of the following persons or entities:

- (1) A person physically present at a health care facility when a commercial blockade occurs whose access is obstructed or impeded.
- (2) A person physically present at a health care facility when a commercial blockade occurs whose health care is disrupted.
- (3) A health care facility where a commercial blockade occurs, its employees, contractors, or volunteers.
- (4) The owner of a health care facility where a commercial blockade occurs or of the building or property upon which the health care facility is located.

(b) "Commercial blockade" means acts constituting the tort of commercial blockade, as defined in Section 3427.1.

(c) "Disrupting the normal functioning of a health care facility" means intentionally rendering or attempting to render a health care facility temporarily or permanently unavailable or unusable by a licensed health practitioner, the facility's staff, or patients. "Disrupting the normal functioning of a health care facility" does not include acts of the owner of the facility, an agent acting on behalf of the owner, or officers or employees of a governmental entity acting to protect the public health or safety.

(d) "Health care facility" means a facility that provides health care services directly to patients, including, but not limited to, a hospital, clinic, licensed health practitioner's office, health maintenance organization, diagnostic or treatment center, neuropsychiatric or mental health facility, hospice, or nursing home.

(*Added by Stats. 1994, Ch. 1193, Sec. 1. Effective January 1, 1995.*)

[3427.1.](#) It is unlawful, and constitutes the tort of commercial blockade for a person, alone or in concert with others, to intentionally prevent an individual from entering or exiting a health care facility by physically obstructing the individual's passage or by disrupting the normal functioning of a health care facility.

(*Added by Stats. 1994, Ch. 1193, Sec. 1. Effective January 1, 1995.*)

[3427.2.](#) A person or health care facility aggrieved by the actions prohibited by this title may seek civil damages from those who committed the prohibited acts and those acting in concert with them.

(*Amended by Stats. 1995, Ch. 91, Sec. 19. Effective January 1, 1996.*)

[3427.3.](#) The court having jurisdiction over a civil proceeding under this title shall take all steps reasonably necessary to safeguard the individual privacy and prevent harassment of a health care patient, licensed health practitioner, or employee, client, or customer of a health care facility who is a party or witness in the proceeding, including granting protective orders. Health care patients, licensed health practitioners, and employees, clients, and customers of the health care facility may use pseudonyms to protect their privacy.

(*Added by Stats. 1994, Ch. 1193, Sec. 1. Effective January 1, 1995.*)

[3427.4](#). This title shall not be construed to impair any constitutionally protected activity or any activities protected by the labor laws of this state or the United States of America.

(Added by Stats. 1994, Ch. 1193, Sec. 1. Effective January 1, 1995.)