



TERRY E. BRANSTAD  
GOVERNOR

**OFFICE OF THE GOVERNOR**

KIM REYNOLDS  
LT. GOVERNOR

March 30, 2017

The Honorable Paul Pate  
Secretary of State of Iowa  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 544, an Act including personal degradation as a form of dependent adult abuse by caretakers in facilities and programs regulated by the department of inspection and appeals, and including effective date provisions.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink that reads "Terry E. Branstad".

Terry E. Branstad  
Governor

cc: Secretary of the Senate  
Clerk of the House



House File 544

AN ACT

INCLUDING PERSONAL DEGRADATION AS A FORM OF DEPENDENT ADULT ABUSE BY CARETAKERS IN FACILITIES AND PROGRAMS REGULATED BY THE DEPARTMENT OF INSPECTIONS AND APPEALS, AND INCLUDING EFFECTIVE DATE PROVISIONS.

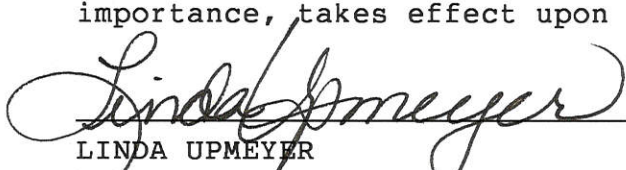
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:


Section 1. Section 235E.1, subsection 5, paragraph a, Code 2017, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (3) Personal degradation of a dependent adult. "*Personal degradation*" means a willful act or statement by a caretaker intended to shame, degrade, humiliate, or otherwise harm the personal dignity of a dependent adult, or where the caretaker knew or reasonably should have known the act or statement would cause shame, degradation, humiliation, or harm to the personal dignity of a reasonable person. "*Personal degradation*" includes the taking, transmission, or display of an electronic image of a dependent adult by a caretaker, where the caretaker's actions constitute a willful act or statement intended to shame, degrade, humiliate, or otherwise harm the personal dignity of the dependent adult, or where the caretaker knew or reasonably should have known the act would cause shame, degradation, humiliation, or harm to the personal dignity of a reasonable person. "*Personal degradation*" does not include the taking, transmission, or display of an electronic image of a dependent adult for the purpose of reporting dependent adult abuse to law enforcement, the


department, or other regulatory agency that oversees caretakers or enforces abuse or neglect provisions, or for the purpose of treatment or diagnosis or as part of an ongoing investigation. "Personal degradation" also does not include the taking, transmission, or display of an electronic image by a caretaker in accordance with the facility's or program's confidentiality policy and release of information or consent policies.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

  
LINDA UPMEYER  
Speaker of the House

  
JACK WHITVER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 544, Eighty-seventh General Assembly.

  
CARMINE BOAL  
Chief Clerk of the House

Approved March 30, 2017

  
TERRY E. BRANSTAD  
Governor