

Reprinted

PLP FEB 27 1992

SENATE FILE 2031

BY COMMITTEE ON HUMAN RESOURCES

Approved 2/8/92

(SUCCESSOR TO SSB 2130)

Passed Senate, Date 3/15/92 (p. 850) Passed House, Date 4/3/92 (P. 1067)

Vote: Ayes 48 Nays 20 Vote: Ayes 96 Nays 0

Approved April 27, 1992

A BILL FOR

1 An Act relating to abuse of dependent persons including the
2 limitations on departmental investigations, the sharing of
3 information between departments involved in child abuse
4 investigations, multidisciplinary team members, the
5 definitions of certain types of abuse, the definition of a
6 mandatory reporter of dependent adult abuse, the requirement
7 of mandatory reporter training, establishing the crime of
8 homicide by abuse, and providing a penalty.

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

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SSB 2031

1 Section 1. Section 232.68, subsection 2, paragraphs a and
2 c, Code 1991, are amended to read as follows:

3 a. Any nonaccidental physical injury, or injury which is
4 at variance with the history given of it, suffered by a child
5 as the result of the acts or omissions of a person responsible
6 for the care of the child and which occurred within three
7 years of the report of the injury to the department unless the
8 injury required or should have required medical attention, or
9 resulted in permanent disability or death to the child.

10 c. The failure on the part of a person responsible for the
11 care of a child to provide for the adequate food, shelter,
12 clothing or other care necessary for the child's health and
13 welfare when financially able to do so or when offered
14 financial or other reasonable means to do so and which
15 occurred within three years of the report of the incident to
16 the department unless the injury required or should have
17 required medical attention, or resulted in permanent
18 disability or death to the child. A parent or guardian
19 legitimately practicing religious beliefs who does not provide
20 specified medical treatment for a child for that reason alone
21 shall not be considered abusing the child, however this
22 provision shall not preclude a court from ordering that
23 medical service be provided to the child where the child's
24 health requires it.

25 Sec. 2. Section 232.71, subsection 1, Code 1991, is
26 amended to read as follows:

27 1. Whenever if a report is determined to constitute a
28 child abuse allegation, the department of human services shall
29 promptly commence an appropriate investigation. The primary
30 purpose of this investigation shall be the protection of the
31 child named in the report. The department, within five
32 working days of commencing the investigation, shall provide
33 written notification of the investigation to the child's
34 parents. However, if the department shows the court to the
35 court's satisfaction that notification is likely to endanger

1 the child or other persons, the court shall issue an emergency
2 order restraining the notification. If a report is determined
3 to not constitute a child abuse allegation, but a criminal act
4 harming a child is alleged, the department shall immediately
5 refer the matter to the appropriate law enforcement agency.

6 Sec. 3. Section 235A.13, subsection 9, Code 1991, is
7 amended to read as follows:

8 9. "Multidisciplinary team" means a group of individuals
9 who possess knowledge and skills related to the diagnosis,
10 assessment, and disposition of child abuse cases and who are
11 professionals practicing in the disciplines of medicine,
12 nursing, public health, substance abuse, mental health, social
13 work, child development, education, law, juvenile probation,
14 or law enforcement, or a group established pursuant to section
15 235B.1, subsection 6, paragraph "a".

16 Sec. 4. Section 235A.15, subsection 1, Code Supplement
17 1991, is amended to read as follows:

18 1. Notwithstanding chapter 22, the confidentiality of all
19 child abuse information shall be maintained, except as
20 specifically provided by subsection 2, ~~and-subsection 3,~~ or 4.

21 Sec. 5. Section 235A.15, Code Supplement 1991, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 4. Access to founded child abuse
24 information only is authorized to the department of personnel
25 as necessary for presentation in grievance or arbitration
26 procedures provided for in sections 19A.14 and 20.18. Child
27 abuse information introduced into a grievance or arbitration
28 proceeding shall not be considered a part of the public record
29 of a case.

30 Sec. 6. Section 235A.19, subsection 2, paragraph b, Code
31 1991, is amended by adding the following new subparagraph.

32 NEW SUBPARAGRAPH. (7) To persons involved in an investi-
33 gation of child abuse.

34 Sec. 7. Section 235B.2, subsection 5, paragraph a, sub-
35 paragraph (1), Code Supplement 1991, is amended to read as

1 follows:

2 (1) Physical injury to, or injury which is at a variance
3 with the history given of the injury, or unreasonable
4 confinement or unreasonable punishment of a dependent adult.

5 Sec. 8. Section 235B.2, subsection 5, paragraph b, Code
6 Supplement 1991, is amended to read as follows:

7 b. The deprivation of the minimum food, shelter, clothing,
8 supervision, physical and or mental health care, and other
9 care necessary to maintain a dependent adult's life or health
10 as a result of the acts or omissions of the dependent adult.

11 Sec. 9. Section 235B.3, subsection 1, Code Supplement
12 1991, is amended by adding the following new unnumbered
13 paragraph:

14 NEW UNNUMBERED PARAGRAPH. Reports of dependent adult abuse
15 which is the result of the acts or omissions of the dependent
16 adult shall be collected and maintained in the files of the
17 dependent adult as assessments only and shall not be included
18 in the central registry.

19 Sec. 10. Section 235B.3, subsection 2, paragraph b, Code
20 Supplement 1991, is amended to read as follows:

21 b. A social worker or an income maintenance worker under
22 the jurisdiction of the department of human services.

23 Sec. 11. Section 235B.16, subsection 5, unnumbered
24 paragraph 4, Code Supplement 1991, is amended to read as
25 follows:

26 A person required to complete both child abuse and
27 dependent adult abuse mandatory reporter training may complete
28 the training through a program which combines child abuse and
29 dependent adult abuse curricula and thereby meet the training
30 requirements of both this subsection and section 232.69
31 simultaneously. If child abuse and dependent adult abuse
32 mandatory reporter training are combined, however, a person
33 shall complete a minimum of three hours of training.

34 Sec. 12. NEW SECTION. 726.9 HOMICIDE BY ABUSE.

35 i. A person commits homicide by abuse if, under

1 circumstances manifesting an extreme indifference to human
2 life, the person causes the death of a child or person under
3 sixteen years of age, a developmentally disabled person, or a
4 dependent adult, and the person has previously engaged in a
5 pattern or practice of assault or torture of the child, person
6 under sixteen years of age, developmentally disabled person,
7 or dependent adult.

8 2. Homicide by abuse is a class "A" felony.

9 EXPLANATION

10 This bill amends provisions of the child abuse and
11 dependent adult abuse chapters of the Code. In regard to
12 child abuse, the bill provides for a three-year limitation on
13 departmental investigations of physical abuse and denial of
14 critical care unless the injury required or should have
15 required medical attention or resulted in permanent disability
16 or death to the child, allows for the sharing of information
17 between department of human services and law enforcement
18 officials, allows nursing and substance abuse professionals to
19 be members of multidisciplinary teams, provides for access to
20 child abuse information in proceedings to correct the
21 information during the appeals process, and provides access to
22 founded child abuse information only by the department of
23 personnel as necessary for grievance or arbitration procedures
24 but the information is not allowed to be made a part of the
25 public record of the case.

26 In regard to dependent adult abuse, the bill provides that
27 the proof of either the deprivation of physical or mental
28 health care, but not both, is necessary to show denial of
29 self-care for a report of dependent adult abuse, adds income
30 maintenance workers to the list of mandatory reporters, adds
31 physical injury which is at a variance with the history of the
32 injury to the definition of "physical abuse", provides that
33 reports of denial of self-care are to be maintained in the
34 files of dependent adults solely as assessments and are not to
35 be included in the central registry, and modifies the training

1 requirements required for mandatory reporters who are both
2 child and dependent adult abuse mandatory reporters.

3 The bill also establishes the crime of homicide by abuse
4 which relates to a person causing the death of a child or
5 person under 16 years of age, a developmentally disabled
6 person, or a dependent adult under circumstances manifesting
7 an extreme indifference to human life, where there is a
8 previous practice or pattern of abuse.

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SENATE FILE 2231

S-5126

1 Amend Senate File 2231 as follows:
2 1. Page 3, by striking lines 31 through 33 and
3 inserting the following: "simultaneously. If child
4 abuse and dependent adult abuse mandatory reporter
5 training are combined, a minimum of three hours of
6 training is required. If less than three hours of
7 combined training is completed, however, the
8 curriculum and content of the training shall be
9 submitted, for approval, to the department of human
10 services."

By LARRY MURPHY

S-5126 FILED MARCH 3, 1992

W/B 3/15 (p. 837)

SENATE FILE 2231

S-5148

1 Amend Senate File 2231 as follows:
2 1. Page 3, by striking lines 31 through 33 and
3 inserting the following: "simultaneously. A person
4 who is a mandatory reporter for both child abuse and
5 dependent adult abuse may satisfy the combined
6 training requirements of this subsection through
7 completion of a two-hour training program, if the
8 training program curriculum and content is approved by
9 the department of human services."

By LARRY MURPHY

S-5148 FILED MARCH 9, 1992

Adopted 3/15 (p. 837)

1 Section 1. Section 232.68, subsection 2, paragraphs a and
2 c, Code 1991, are amended to read as follows:

3 a. Any nonaccidental physical injury, or injury which is
4 at variance with the history given of it, suffered by a child
5 as the result of the acts or omissions of a person responsible
6 for the care of the child and which occurred within three
7 years of the report of the injury to the department unless the
8 injury required or should have required medical attention, or
9 resulted in permanent disability or death to the child.

10 c. The failure on the part of a person responsible for the
11 care of a child to provide for the adequate food, shelter,
12 clothing or other care necessary for the child's health and
13 welfare when financially able to do so or when offered
14 financial or other reasonable means to do so and which
15 occurred within three years of the report of the incident to
16 the department unless the injury required or should have
17 required medical attention, or resulted in permanent
18 disability or death to the child. A parent or guardian
19 legitimately practicing religious beliefs who does not provide
20 specified medical treatment for a child for that reason alone
21 shall not be considered abusing the child, however this
22 provision shall not preclude a court from ordering that
23 medical service be provided to the child where the child's
24 health requires it.

25 Sec. 2. Section 232.71, subsection 1, Code 1991, is
26 amended to read as follows:

27 1. ~~Whenever~~ If a report is determined to constitute a
28 child abuse allegation, the department of human services shall
29 promptly commence an appropriate investigation. The primary
30 purpose of this investigation shall be the protection of the
31 child named in the report. The department, within five
32 working days of commencing the investigation, shall provide
33 written notification of the investigation to the child's
34 parents. However, if the department shows the court to the
35 court's satisfaction that notification is likely to endanger

1 the child or other persons, the court shall issue an emergency
2 order restraining the notification. If a report is determined
3 to not constitute a child abuse allegation, but a criminal act
4 harming a child is alleged, the department shall immediately
5 refer the matter to the appropriate law enforcement agency.

6 Sec. 3. Section 235A.13, subsection 9, Code 1991, is
7 amended to read as follows:

8 9. "Multidisciplinary team" means a group of individuals
9 who possess knowledge and skills related to the diagnosis,
10 assessment, and disposition of child abuse cases and who are
11 professionals practicing in the disciplines of medicine,
12 nursing, public health, substance abuse, mental health, social
13 work, child development, education, law, juvenile probation,
14 or law enforcement, or a group established pursuant to section
15 235B.1, subsection 6, paragraph "a".

16 Sec. 4. Section 235A.15, subsection 1, Code Supplement
17 1991, is amended to read as follows:

18 1. Notwithstanding chapter 22, the confidentiality of all
19 child abuse information shall be maintained, except as
20 specifically provided by subsection 2, ~~and-subsection 3~~, or 4.

21 Sec. 5. Section 235A.15, Code Supplement 1991, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 4. Access to founded child abuse
24 information only is authorized to the department of personnel
25 as necessary for presentation in grievance or arbitration
26 procedures provided for in sections 19A.14 and 20.18. Child
27 abuse information introduced into a grievance or arbitration
28 proceeding shall not be considered a part of the public record
29 of a case.

30 Sec. 6. Section 235A.19, subsection 2, paragraph b, Code
31 1991, is amended by adding the following new subparagraph:

32 NEW SUBPARAGRAPH. (7) To persons involved in an investi-
33 gation of child abuse.

34 Sec. 7. Section 235B.2, subsection 5, paragraph a, sub-
35 paragraph (1), Code Supplement 1991, is amended to read as

1 follows:

2 (1) Physical injury to, or injury which is at a variance
3 with the history given of the injury, or unreasonable
4 confinement or unreasonable punishment of a dependent adult.

5 Sec. 8. Section 235B.2, subsection 5, paragraph b, Code
6 Supplement 1991, is amended to read as follows:

7 b. The deprivation of the minimum food, shelter, clothing,
8 supervision, physical and or mental health care, and other
9 care necessary to maintain a dependent adult's life or health
10 as a result of the acts or omissions of the dependent adult.

11 Sec. 9. Section 235B.3, subsection 1, Code Supplement
12 1991, is amended by adding the following new unnumbered
13 paragraph:

14 NEW UNNUMBERED PARAGRAPH. Reports of dependent adult abuse
15 which is the result of the acts or omissions of the dependent
16 adult shall be collected and maintained in the files of the
17 dependent adult as assessments only and shall not be included
18 in the central registry.

19 Sec. 10. Section 235B.3, subsection 2, paragraph b, Code
20 Supplement 1991, is amended to read as follows:

21 b. A social worker or an income maintenance worker under
22 the jurisdiction of the department of human services.

23 Sec. 11. Section 235B.16, subsection 5, unnumbered
24 paragraph 4, Code Supplement 1991, is amended to read as
25 follows:

26 A person required to complete both child abuse and
27 dependent adult abuse mandatory reporter training may complete
28 the training through a program which combines child abuse and
29 dependent adult abuse curricula and thereby meet the training
30 requirements of both this subsection and section 232.59

31 simultaneously. A person who is a mandatory reporter for both
32 child abuse and dependent adult abuse may satisfy the combined
33 training requirements of this subsection through completion of
34 a two-hour training program, if the training program
35 curriculum and content is approved by the department of human

1 services.

2 Sec. 12. NEW SECTION. 726.9 HOMICIDE BY ABUSE.

3 1. A person commits homicide by abuse if, under
4 circumstances manifesting an extreme indifference to human
5 life, the person causes the death of a child or person under
6 sixteen years of age, a developmentally disabled person, or a
7 dependent adult, and the person has previously engaged in a
8 pattern or practice of assault or torture of the child, person
9 under sixteen years of age, developmentally disabled person,
10 or dependent adult.

11 2. Homicide by abuse is a class "A" felony.

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SENATE FILE 2231

H-5582

- 1 Amend Senate File 2231, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 24.
- 4 2. Page 4, by striking lines 2 through 11.
- 5 3. Title page, lines 1 and 2, by striking the
- 6 words "the limitations on departmental
- 7 investigations,".
- 8 4. Title page, line 6, by inserting after the
- 9 word "abuse," the following: "and".
- 10 5. Title page, by striking lines 7 and 8, and
- 11 inserting the following: "of mandatory reporter
- 12 training."
- 13 6. By renumbering as necessary.

By COMMITTEE ON HUMAN RESOURCES
HAVERLAND of Polk, Chairperson

H-5582 FILED MARCH 27, 1992

Adopted 4/2 (p. 1067)

HOUSE AMENDMENT TO
SENATE FILE 2231

S-5555

- 1 Amend Senate File 2231, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 24.
- 4 2. Page 4, by striking lines 2 through 11.
- 5 3. Title page, lines 1 and 2, by striking the
- 6 words "the limitations on departmental
- 7 investigations,".
- 8 4. Title page, line 6, by inserting after the
- 9 word "abuse," the following: "and".
- 10 5. Title page, by striking lines 7 and 8, and
- 11 inserting the following: "of mandatory reporter
- 12 training."
- 13 6. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5555 FILED APRIL 3, 1992

Senate concurred 4/13/92 (p. 1374)

SENATE FILE 2231

S-5580

- 1 Amend the House amendment, S-5555, to Senate File
- 2 2231, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, line 4, by inserting after the figure
- 5 "11" the following: "and inserting the following:
- 6 "Sec. ____ Section 726.6, Code 1991, is amended by
- 7 adding the following new subsections:
- 8 NEW SUBSECTION. 1A. A person who commits child
- 9 endangerment resulting in the death of a child or
- 10 minor is guilty of a class "A" felony.
- 11 NEW SUBSECTION. 1B. A person who commits child
- 12 endangerment who has previously engaged in a pattern
- 13 or practice of assault or torture of the child or
- 14 minor, previously resulting in serious injury to the
- 15 child or minor, is guilty of a class "B" felony."
- 16 2. Page 1, by striking lines 8 through 12 and
- 17 inserting the following:
- 18 " ____ Title page, by striking lines 7 and 8, and
- 19 inserting the following: "of mandatory reporter
- 20 training, and providing penalties."
- 21 3. By renumbering as necessary.

By ELAINE SZYMONIAK

S-5580 FILED APRIL 7, 1992

Law 4/13 (p. 1374)

MURPHY, CH.
SURGEON
TINSMAN

SSB 2130
HUMAN RESOURCES

SENATE FILE 2231
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CHAIRPERSON HANNON)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to abuse of children and dependent adults
2 including the limitations on departmental investigations, the
3 sharing of information between departments involved in child
4 abuse investigations, multidisciplinary team members, the
5 definitions of certain types of abuse, the definition of a
6 mandatory reporter of dependent adult abuse, and the
7 requirement of mandatory reporter training.

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

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31 child named in the report. The department, within five
32 working days of commencing the investigation, shall provide
33 written notification of the investigation to the child's
34 parents. However, if the department shows the court to the
35 court's satisfaction that notification is likely to endanger

1 the child or other persons, the court shall issue an emergency
2 order restraining the notification. If a report is determined
3 to not constitute a child abuse allegation, but a criminal act
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5 refer the matter to the appropriate law enforcement agency.

6 Sec. 3. Section 235A.13, subsection 9, Code 1991, is
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8 9. "Multidisciplinary team" means a group of individuals
9 who possess knowledge and skills related to the diagnosis,
10 assessment, and disposition of child abuse cases and who are
11 professionals practicing in the disciplines of medicine,
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24 information only is authorized to the department of personnel
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26 procedures provided for in sections 19A.14 and 20.18. Child
27 abuse information introduced into a grievance or arbitration
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30 Sec. 6. Section 235A.19, subsection 2, paragraph b, Code
31 1991, is amended by adding the following new subparagraph:

32 NEW SUBPARAGRAPH. (7) To persons involved in an investi-
33 gation of child abuse.

34 Sec. 7. Section 235B.2, subsection 5, paragraph a, sub-
35 paragraph (1), Code Supplement 1991, is amended to read as

1 follows:

2 (1) Physical injury to, or injury which is at a variance
3 with the history given of the injury, or unreasonable
4 confinement or unreasonable punishment of a dependent adult.

5 Sec. 8. Section 235B.2, subsection 5, paragraph b, Code
6 Supplement 1991, is amended to read as follows:

7 b. The deprivation of the minimum food, shelter, clothing,
8 supervision, physical and or mental health care, and other
9 care necessary to maintain a dependent adult's life or health
10 as a result of the acts or omissions of the dependent adult.

11 Sec. 9. Section 235B.3, subsection 1, Code Supplement
12 1991, is amended by adding the following new unnumbered
13 paragraph:

14 NEW UNNUMBERED PARAGRAPH. Reports of dependent adult abuse
15 which is the result of the acts or omissions of the dependent
16 adult shall be collected and maintained in the files of the
17 dependent adult as assessments only and shall not be included
18 in the central registry.

19 Sec. 10. Section 235B.3, subsection 2, paragraph b, Code
20 Supplement 1991, is amended to read as follows:

21 b. A social worker or an income maintenance worker under
22 the jurisdiction of the department of human services.

23 Sec. 11. Section 235B.16, subsection 5, unnumbered
24 paragraph 4, Code Supplement 1991, is amended to read as
25 follows:

26 A person required to complete both child abuse and
27 dependent adult abuse mandatory reporter training may complete
28 the training through a program which combines child abuse and
29 dependent adult abuse curricula and thereby meet the training
30 requirements of both this subsection and section 232.69
31 simultaneously. If child abuse and dependent adult abuse
32 mandatory reporter training are combined, however, a person
33 shall complete a minimum of three hours of training.

34 EXPLANATION

35 This bill amends provisions of the child abuse and

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1 dependent adult abuse chapters of the Code. In regard to
2 child abuse, the bill provides for a three-year limitation on
3 departmental investigations of physical abuse and denial of
4 critical care unless the injury required or should have
5 required medical attention or resulted in permanent disability
6 or death to the child, allows for the sharing of information
7 between department of human services and law enforcement
8 officials, allows nursing and substance abuse professionals to
9 be members of multidisciplinary teams, provides for access to
10 child abuse information in proceedings to correct the
11 information during the appeals process, and provides access to
12 founded child abuse information only by the department of
13 personnel as necessary for grievance or arbitration procedures
14 but the information is not allowed to be made a part of the
15 public record of the case.

16 In regard to dependent adult abuse, the bill provides that
17 the proof of either the deprivation of physical or mental
18 health care, but not both, is necessary to show denial of
19 self-care for a report of dependent adult abuse, adds income
20 maintenance workers to the list of mandatory reporters, adds
21 physical injury which is at a variance with the history of the
22 injury to the definition of "physical abuse", provides that
23 reports of denial of self-care are to be maintained in the
24 files of dependent adults solely as assessments and are not to
25 be included in the central registry, and modifies the training
26 requirements required for mandatory reporters who are both
27 child and dependent adult abuse mandatory reporters.

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SENATE FILE 2231

AN ACT

RELATING TO ABUSE OF DEPENDENT PERSONS INCLUDING THE SHARING OF INFORMATION BETWEEN DEPARTMENTS INVOLVED IN CHILD ABUSE INVESTIGATIONS, MULTIDISCIPLINARY TEAM MEMBERS, THE DEFINITIONS OF CERTAIN TYPES OF ABUSE, THE DEFINITION OF A MANDATORY REPORTER OF DEPENDENT ADULT ABUSE, AND THE REQUIREMENT OF MANDATORY REPORTER TRAINING.

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

Section 1. Section 232.71, subsection 1, Code 1991, is amended to read as follows:

1. Whenever if a report is determined to constitute a child abuse allegation, the department of human services shall promptly commence an appropriate investigation. The primary purpose of this investigation shall be the protection of the child named in the report. The department, within five

working days of commencing the investigation, shall provide written notification of the investigation to the child's parents. However, if the department shows the court to the court's satisfaction that notification is likely to endanger the child or other persons, the court shall issue an emergency order restraining the notification. If a report is determined to not constitute a child abuse allegation, but a criminal act harming a child is alleged, the department shall immediately refer the matter to the appropriate law enforcement agency.

Sec. 2. Section 235A.13, subsection 9, Code 1991, is amended to read as follows:

9. "Multidisciplinary team" means a group of individuals who possess knowledge and skills related to the diagnosis, assessment, and disposition of child abuse cases and who are professionals practicing in the disciplines of medicine, nursing, public health, substance abuse, mental health, social work, child development, education, law, juvenile probation, or law enforcement, or a group established pursuant to section 235B.1, subsection 6, paragraph "a".

Sec. 3. Section 235A.15, subsection 1, Code Supplement 1991, is amended to read as follows:

1. Notwithstanding chapter 22, the confidentiality of all child abuse information shall be maintained, except as specifically provided by subsection 2, ~~and~~ subsection 3, or 4.

Sec. 4. Section 235A.15, Code Supplement 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Access to founded child abuse information only is authorized to the department of personnel as necessary for presentation in grievance or arbitration procedures provided for in sections 19A.14 and 20.18. Child abuse information introduced into a grievance or arbitration proceeding shall not be considered a part of the public record of a case.

Sec. 5. Section 235A.19, subsection 2, paragraph b, Code 1991, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (7) To persons involved in an investigation of child abuse.

Sec. 6. Section 235B.2, subsection 5, paragraph a, subparagraph (1), Code Supplement 1991, is amended to read as follows:

(1) Physical injury to, or injury which is at a variance with the history given of the injury, or unreasonable confinement or unreasonable punishment of a dependent adult.

Sec. 7. Section 235B.2, subsection 5, paragraph b, Code Supplement 1991, is amended to read as follows:

b. The deprivation of the minimum food, shelter, clothing, supervision, physical and or mental health care, and other care necessary to maintain a dependent adult's life or health as a result of the acts or omissions of the dependent adult.

Sec. 8. Section 235B.3, subsection 1, Code Supplement 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Reports of dependent adult abuse which is the result of the acts or omissions of the dependent adult shall be collected and maintained in the files of the dependent adult as assessments only and shall not be included in the central registry.

Sec. 9. Section 235B.3, subsection 2, paragraph b, Code Supplement 1991, is amended to read as follows:

b. A social worker or an income maintenance worker under the jurisdiction of the department of human services.

Sec. 10. Section 235B.16, subsection 5, unnumbered paragraph 4, Code Supplement 1991, is amended to read as follows:

A person required to complete both child abuse and dependent adult abuse mandatory reporter training may complete the training through a program which combines child abuse and dependent adult abuse curricula and thereby meet the training requirements of both this subsection and section 212.69 simultaneously. A person who is a mandatory reporter for both

child abuse and dependent adult abuse may satisfy the combined training requirements of this subsection through completion of a two-hour training program, if the training program curriculum and content is approved by the department of human services.

MICHAEL E. GRONSCAL
President of the Senate

ROBERT C. ARKQUILD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2231, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved *April 27*, 1992

TERRY E. BRANSTAD
Governor