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HUMAN RESOURCES

HOUSE FILE 409  
BY JOCHUM and DODERER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to review of child deaths and child abuse.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 409

1 Section 1. IOWA CHILD DEATH REVIEW TEAM -- FINDINGS AND  
2 PURPOSE.

3 1. The general assembly finds the following:

4 a. Protection of the health and welfare of the children of  
5 this state is a goal of its people and the death of children  
6 is an important public health concern that requires  
7 legislative action.

8 b. Collecting accurate data on the cause and manner of  
9 deaths will better enable the state to identify preventable  
10 deaths, and thus help reduce the incidence of such deaths.

11 c. Multidisciplinary review of child deaths is a mechanism  
12 to assist the state in developing a greater understanding of  
13 the incidence and causes of child deaths and the methods for  
14 prevention of such deaths.

15 2. The purpose of the child death review team is to aid in  
16 the reduction of the incidence of serious injury and death to  
17 children by accurately identifying the cause and manner of  
18 death of children.

19 Sec. 2. NEW SECTION. 144D.1 IOWA CHILD DEATH REVIEW TEAM  
20 ESTABLISHED -- DUTIES.

21 1. An Iowa child death review team is established as an  
22 independent agency of state government. The Iowa department  
23 of public health and the department of human services shall  
24 provide staffing and administrative support to the team.

25 2. The membership of the review team is subject to the  
26 provisions of sections 69.16 and 69.16A, relating to political  
27 affiliation and gender balance. Review team members who are  
28 not designated by another appointing authority shall be  
29 appointed by the director of public health and the director of  
30 human services. Membership terms shall be for three years. A  
31 membership vacancy shall be filled in the same manner as the  
32 original appointment. The review team shall elect a  
33 chairperson and other officers as deemed necessary by the  
34 review team. The review team shall meet upon the call of the  
35 chairperson, upon the request of a state agency, or as

1 determined by the review team. The members of the team are  
2 eligible for reimbursement of actual and necessary expenses  
3 incurred in the performance of their official duties.

4 The review team shall include the following:

- 5 a. The state medical examiner or the state medical  
6 examiner's designee.
- 7 b. A designee of the director of public health.
- 8 c. A designee of the director of human services.
- 9 d. A designee of the commissioner of public safety.
- 10 e. A designee of the administrator of the division of  
11 vital records of the Iowa department of public health.
- 12 f. A designee of the attorney general.
- 13 g. A designee of the director of transportation.
- 14 h. A designee of the director of the department of  
15 education.
- 16 i. A certified or licensed professional who is  
17 knowledgeable concerning sudden infant death syndrome.
- 18 j. Two pediatricians who are knowledgeable concerning  
19 deaths of children.
- 20 k. Two mental health professionals who are knowledgeable  
21 concerning deaths of children.
- 22 l. Two social workers who are knowledgeable concerning  
23 deaths of children.
- 24 m. A certified or licensed professional who is  
25 knowledgeable concerning domestic violence.
- 26 n. A professional who is knowledgeable concerning  
27 substance abuse.
- 28 o. A local law enforcement official.
- 29 p. A county attorney.
- 30 q. A nurse who is knowledgeable concerning the deaths of  
31 children.
- 32 r. A perinatal expert.
- 33 s. A representative of the health insurance industry.
- 34 t. Three others appointed at large.
- 35 3. The review team shall perform the following duties:

1 a. Collect, review, and analyze child death certificates  
2 and child death data, including patient records or other  
3 pertinent confidential information concerning the deaths of  
4 children age six or younger, and other information as the  
5 review team deems appropriate for use in preparing an annual  
6 report to the governor and the general assembly concerning the  
7 causes and manner of child deaths. The report shall include  
8 analysis of factual information obtained through review and  
9 recommendations regarding prevention of child deaths.

10 b. Recommend to the governor and the general assembly  
11 interventions to prevent deaths of children based on an  
12 analysis of the cause and manner of such deaths.

13 c. Recommend to the agencies represented on the review  
14 team changes which may prevent child deaths.

15 d. Maintain the confidentiality of any patient records or  
16 other confidential information reviewed.

17 e. Review the conduct of any child abuse investigation  
18 upon the request of the department of human services,  
19 including but not limited to the case files, methodology, and  
20 conclusions.

21 4. The review team may establish subcommittees to which  
22 the team may delegate some or all of the team's  
23 responsibilities under subsection 3.

24 5. The Iowa department of public health and the department  
25 of human services shall adopt rules providing for disclosure  
26 of information which is confidential under chapter 22 or any  
27 other provision of state law, to the review team for purposes  
28 of performing its child death and child abuse review  
29 responsibilities.

30 Sec. 3. MULTIDISCIPLINARY CHILD ABUSE INTERVENTION AND  
31 PROSECUTION TEAMS. The attorney general is requested to form  
32 a multidisciplinary committee to develop a proposal for the  
33 establishment of regional multidisciplinary teams to focus  
34 upon child abuse prosecution and intervention needs. The  
35 attorney general is requested to submit a report of the

1 committee findings to the governor and the general assembly  
2 prior to the 1996 legislative session. The committee should  
3 consider other state statutory schemes for multidisciplinary  
4 teams, provide options for regional groupings, review options  
5 for special focus teams to concentrate on particular types of  
6 abuse such as sexual abuse, and recommend possible funding  
7 mechanisms.

8 EXPLANATION

9 This bill relates to provisions for review of child deaths  
10 and child abuse.

11 New section 144D.1 constitutes a new chapter creating an  
12 Iowa child death review team as an independent agency of state  
13 government. Legislative findings and purposes are outlined in  
14 a session law provision. Administrative and staffing support  
15 for the team is to be provided by the Iowa department of  
16 public health and the department of human services. The  
17 review team is to review information concerning the death of  
18 children age six and younger and to review child abuse  
19 investigations at the request of the department of human  
20 services. The review team is to include representatives of  
21 various state agencies with most appointments made by the  
22 directors of public health and human services. The review  
23 team is authorized to appoint subcommittees to which its  
24 responsibilities may be delegated.

25 The attorney general is requested to establish a  
26 multidisciplinary committee to review and make recommendations  
27 concerning establishment of regional multidisciplinary teams  
28 to focus upon child abuse prosecution and intervention needs.  
29 If a committee is established, a report is to be submitted by  
30 the attorney general to the governor and the general assembly  
31 prior to the 1996 legislative session.

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