

2/28/96 Judiciary

FILED FEB 28 1996

SENATE FILE 2342
BY BORLAUG

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

A BILL FOR

1 An Act providing compensation in the event of a victim's death,
2 for reasonable charges incurred for health-related care needed
3 as a direct result of the death.

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

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S.F. 2342

1 Section 1. Section 912.6, Code Supplement 1995, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 6A. In the event of a victim's death,
4 reasonable charges incurred for health-related care as a
5 direct result of the death for the victim's spouse, children,
6 parents, siblings, or persons cohabiting with or related by
7 blood or affinity to the victim if the health-related care is
8 provided by a provider. For the purposes of this subsection,
9 "provider" means provider as defined in section 144C.2, but
10 does not include a dietitian under chapter 152A, an athletic
11 trainer licensed under chapter 152D, a person engaged in the
12 practice of dentistry licensed under chapter 153, a dental
13 hygienist licensed under chapter 153, a psychiatrist licensed
14 under chapter 147 or 150A, a person engaged in the practice of
15 optometry under chapter 154, a person engaged in the practice
16 of psychology licensed under chapter 154B, or a school
17 psychologist. Reasonable charges incurred for health-related
18 care as a direct result of the victim's death include only
19 charges that would not have been incurred had it not been for
20 the death of the victim. The allowable charges under this
21 subsection shall not exceed three thousand dollars per person.

22 EXPLANATION

23 This bill provides that the department of justice shall
24 award, as appropriate, in the event of a victim's death,
25 reasonable charges incurred for health-related care as a
26 direct result of the death for the victim's spouse, children,
27 parents, siblings, or person cohabiting with or related by
28 blood or affinity to the victim if the health-related care is
29 provided by a provider. Reasonable charges incurred for
30 health-related care as a direct result of the victim's death
31 include only charges that would not have been incurred had it
32 not been for the death of the victim.

33 A provider is defined as a hospital, health care facility,
34 hospice program, health-related professional, or home care
35 aide. A provider for the purposes of the bill does not

1 include a dietitian, an athletic trainer, a person engaged in
2 the practice of dentistry, a dental hygienist, a psychiatrist,
3 a person engaged in the practice of optometry, a person
4 engaged in the practice of psychology, or a school
5 psychologist.

6 The bill also provides that the allowable charges under the
7 bill shall not exceed \$3,000 per person.

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