

MAR 5 2003
Place On Calendar

HOUSE FILE 455
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 116)

Passed House, Date Passed 3/20/03 Passed Senate, Date 4/24/03
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 5/16/03

A BILL FOR

1 An Act requiring licensed health-related professionals to report
2 certain burn injuries to a law enforcement agency.

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

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HF 455

1 BURN INJURIES

2 Section 1. NEW SECTION. 147.113A REPORT OF BURN
3 INJURIES.

4 Any person licensed under the provisions of this subtitle
5 who administers any treatment to a person suffering a burn
6 which appears to be of a suspicious nature on the body, a burn
7 to the upper respiratory tract, a laryngeal edema due to the
8 inhalation of super-heated air, or a burn injury that is
9 likely to result in death, which appears to have been received
10 in connection with the commission of a criminal offense, or to
11 whom an application is made for treatment of any nature
12 because of any such burn or burn injury shall at once but not
13 later than twelve hours after treatment was administered or
14 application was made report the fact to law enforcement. The
15 report shall be made to the law enforcement agency within
16 whose jurisdiction the treatment was administered or
17 application was made, or if ascertainable, to the law
18 enforcement agency in whose jurisdiction the burn or burn
19 injury occurred, stating the name of such person, the person's
20 residence if ascertainable, and giving a brief description of
21 the burn or burn injury. Any provision of law or rule of
22 evidence relative to confidential communications is suspended
23 insofar as the provisions of this section are concerned.

24 Sec. 2. CODIFICATION. The Code editor shall codify this
25 Act separately from sections 147.111 through 147.113.

26 EXPLANATION

27 This bill requires licensed health-related professionals to
28 report certain burn injuries to a law enforcement agency.

29 The bill provides that a licensed health-related
30 professional who treats a person suffering a suspicious burn,
31 a burn to the upper respiratory tract, a laryngeal edema, or a
32 burn injury likely to cause death shall report the burn injury
33 to a law enforcement agency if the burn injury appears related
34 to the commission of a criminal offense. The bill also
35 provides that a licensed health-related professional shall

1 report such a burn injury if the person seeks treatment for
2 the injury but is not treated.

3 Under the bill, the report shall be made to a law
4 enforcement agency within 12 hours of the person being treated
5 or seeking treatment. The report shall be made to a law
6 enforcement agency in the jurisdiction where the person
7 received treatment or sought treatment, or if ascertainable,
8 to the law enforcement agency where the burn injury occurred.

9 Any law or rule that prohibits a licensed health-related
10 professional from communicating information pursuant to this
11 bill is suspended by the bill.

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HOUSE FILE 455

S-3305

1 Amend House File 455, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 6 through 10, and
4 inserting the following: "likely to have been
5 incurred in connection with arson or the manufacture
6 of methamphetamine or to".

By HERMAN C. QUIRMBACH

S-3305 FILED APRIL 24, 2003
LOST

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HOUSE FILE 455

S-3314

1 Amend House File 455, as passed by the House, as
2 follows:

3 1. Page 1, line 9, by striking the word "which"
4 and inserting the following: "if any of these burns".

By HERMAN C. QUIRMBACH

S-3314 FILED APRIL 24, 2003
LOST

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HF 455 - Burn Notification Law (LSB 1979 HV)
Analyst: Jennifer Dean (Phone: (515) 281-7846) (jennifer.dean@legis.state.ia.us)
Fiscal Note Version — New
Requested by Senator Quirnbach

Description

House File 455 requires licensed health-related professionals to report certain burn injuries to a law enforcement agency.

Assumptions

1. Under current law, hospitals must report any burn that is over 10.0% of the body to the State Trauma Coordinator in Emergency Medical Services in the Department of Public Health.
2. House File 455 does not have a criminal penalty for not reporting a burn to law enforcement authorities. Under Chapter 147.111 through Chapter 147.113, Code of Iowa, health-related professionals who fail to report gunshots or stab wounds are guilty of a simple misdemeanor.
3. House File 455 provides that a licensed health-related professional who treats a person suffering a suspicious burn, a burn to the upper respiratory tract, a laryngeal edema, or a burn injury likely to cause death will report the burn injury to a law enforcement agency, if the burn injury appears related to the commission of a criminal offense.

Fiscal Impact

House File 455 is not expected to have any fiscal impact.

Sources

Department of Public Health
Department of Public Safety

/s/ Dennis C Prouty

April 9, 2003

Sec. 2. CODIFICATION. The Code editor shall codify this Act separately from sections 147.111 through 147.113.

HOUSE FILE 455

AN ACT
REQUIRING LICENSED HEALTH-RELATED PROFESSIONALS TO REPORT
CERTAIN BURN INJURIES TO A LAW ENFORCEMENT AGENCY.

CHRISTOPHER C. RANTS
Speaker of the House

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

MARY E. KRAMER
President of the Senate

BURN INJURIES
Section 1. NEW SECTION. 147.113A REPORT OF BURN
INJURIES.

I hereby certify that this bill originated in the House and
is known as House File 455, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Any person licensed under the provisions of this subtitle who administers any treatment to a person suffering a burn which appears to be of a suspicious nature on the body, a burn to the upper respiratory tract, a laryngeal edema due to the inhalation of super-heated air, or a burn injury that is likely to result in death, which appears to have been received in connection with the commission of a criminal offense, or to whom an application is made for treatment of any nature because of any such burn or burn injury shall at once but not later than twelve hours after treatment was administered or application was made report the fact to law enforcement. The report shall be made to the law enforcement agency within whose jurisdiction the treatment was administered or application was made, or if ascertainable, to the law enforcement agency in whose jurisdiction the burn or burn injury occurred, stating the name of such person, the person's residence if ascertainable, and giving a brief description of the burn or burn injury. Any provision of law or rule of evidence relative to confidential communications is suspended insofar as the provisions of this section are concerned.

Approved _____, 2003

THOMAS J. VILSACK
Governor