

Senate File 2146 - Introduced

SENATE FILE 2146

BY DANIELSON

A BILL FOR

1 An Act relating to reporting burn injuries to law enforcement.

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

1 Section 1. Section 147.113A, Code 2018, is amended to read
2 as follows:

3 **147.113A Report of burn 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~~
7 suspicious burn injury, a burn to the upper respiratory tract,
8 a laryngeal edema due to the inhalation of super-heated air,
9 a second-degree or third-degree burn that covers five percent
10 or more of the surface body area, or a burn injury that is
11 likely to result in death, which appears to have been received
12 in connection with the commission of a criminal offense, or
13 to whom an application is made for treatment of any nature
14 because of any such burn or burn injury, shall at once but not
15 later than twelve hours after treatment was administered or
16 application was made report the fact to law enforcement. The
17 report shall be made to the law enforcement agency within whose
18 jurisdiction the treatment was administered or application
19 was made, or if ascertainable, to the law enforcement agency
20 in whose jurisdiction the burn or burn injury occurred,
21 stating the name of such person, the person's residence if
22 ascertainable, and giving a brief description of the burn or
23 burn injury. Any provision of law or rule of evidence relative
24 to confidential communications is suspended insofar as the
25 provisions of **this section** are concerned. A licensee making
26 a report in good faith and exercising due care shall have
27 immunity from any liability, civil or criminal, that might
28 otherwise be incurred or imposed as a result of the report. A
29 cause of action shall not be brought against a licensee for
30 failure to make a report pursuant to this section.

31

EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill relates to the reporting of burn injuries to law
35 enforcement by health-related licensed professionals identified

1 in Code section 147.2.

2 Under current law, a health-related licensed professional
3 who administers treatment to a person suffering a burn which
4 appears to be of a suspicious nature on the body, a burn to
5 the upper respiratory tract, a laryngeal edema due to the
6 inhalation of super-heated air, or a burn injury that is likely
7 to result in death is required to report such burn injuries
8 to law enforcement. The bill also requires such a licensee
9 to report a second-degree or third-degree burn that covers 5
10 percent or more of a person's surface body area.

11 Under current law, any provision of law or rule of evidence
12 relative to confidential communications is suspended. The bill
13 provides that a licensee making a report in good faith and
14 exercising due care shall have immunity from any liability,
15 civil or criminal, that otherwise might be incurred or imposed
16 a result of the report. The bill also provides that a cause of
17 action shall not be brought against a licensee for failure to
18 make a report.