

**Senate File 420 - Introduced**

SENATE FILE 420  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO SSB 1099)

**A BILL FOR**

1 An Act including personal degradation as a form of dependent  
2 adult abuse by caretakers in facilities and programs  
3 regulated by the department of inspections and appeals, and  
4 including effective date provisions.

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

1 Section 1. Section 235E.1, subsection 5, paragraph a, Code  
2 2017, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (3) Personal degradation of a dependent  
4 adult. "*Personal degradation*" means a willful act or statement  
5 by a caretaker intended to shame, degrade, humiliate, or  
6 otherwise harm the personal dignity of a dependent adult, or  
7 where the caretaker knew or reasonably should have known the  
8 act or statement would cause shame, degradation, humiliation,  
9 or harm to the personal dignity of a reasonable person.  
10 "*Personal degradation*" includes the taking, transmission,  
11 or display of an electronic image of a dependent adult by a  
12 caretaker, where the caretaker's actions constitute a willful  
13 act or statement intended to shame, degrade, humiliate, or  
14 otherwise harm the personal dignity of the dependent adult, or  
15 where the caretaker knew or reasonably should have known the  
16 act would cause shame, degradation, humiliation, or harm to the  
17 personal dignity of a reasonable person. "*Personal degradation*"  
18 does not include the taking, transmission, or display of  
19 an electronic image of a dependent adult for the purpose  
20 of reporting dependent adult abuse to law enforcement, the  
21 department, or other regulatory agency that oversees caretakers  
22 or enforces abuse or neglect provisions, or for the purpose of  
23 treatment or diagnosis or as part of an ongoing investigation.  
24 "*Personal degradation*" also does not include the taking,  
25 transmission, or display of an electronic image by a caretaker  
26 in accordance with the facility's or program's confidentiality  
27 policy and release of information or consent policies.

28 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
29 immediate importance, takes effect upon enactment.

30 EXPLANATION

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

33 This bill includes personal degradation as a form of  
34 dependent adult abuse by caretakers in facilities and  
35 programs regulated by the department of inspections and

1 appeals. The bill provides that personal degradation is a  
2 willful act or statement by a caretaker in a facility or  
3 program that is intended to shame, degrade, humiliate, or  
4 otherwise harm the dependent adult's personal dignity; or a  
5 willful act or statement by a caretaker where the caretaker  
6 reasonably should have known the act or statement would  
7 shame, degrade, humiliate, or otherwise harm the dependent  
8 adult's personal dignity. Personal degradation includes the  
9 taking, transmitting, or displaying of an electronic image  
10 of a dependent adult by a caretaker, where the caretaker  
11 intended to cause or should have known such act would cause  
12 shame, degradation, or humiliation, or otherwise harm the  
13 personal dignity of the dependent adult. The bill creates an  
14 exception for electronic images that are taken, transmitted, or  
15 displayed for the purposes of treatment, diagnosis, or ongoing  
16 investigation. The bill provides personal degradation does  
17 not occur when a caretaker takes, transmits, or displays an  
18 electronic image in accordance with the facility's or program's  
19 release of information or consent policies.  
20 The bill takes effect upon enactment.