

Senate File 419 - Introduced

SENATE FILE 419

BY QUIRMBACH and SEGBART

A BILL FOR

1 An Act relating to mandatory child abuse and dependent adult
2 abuse reporter training requirements.

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

1 Section 1. Section 135.11, subsection 24, Code 2019, is
2 amended by striking the subsection.

3 Sec. 2. Section 232.69, subsection 3, paragraph b, Code
4 2019, is amended to read as follows:

5 *b.* A person required to make a report under subsection
6 1, other than a physician whose professional practice does
7 not regularly involve providing primary health care to
8 children, shall complete two hours of training relating to
9 the identification and reporting of child abuse within six
10 months of initial employment or self-employment involving the
11 examination, attending, counseling, or treatment of children
12 on a regular basis. Within one month of initial employment or
13 self-employment, the person shall obtain a statement of the
14 abuse reporting requirements from the person's employer or, if
15 self-employed, from the department. The person shall complete
16 at least two hours of additional child abuse identification and
17 reporting training every ~~five~~ three years.

18 Sec. 3. Section 232.69, subsection 3, paragraphs c and d,
19 Code 2019, are amended by striking the paragraphs and inserting
20 in lieu thereof the following:

21 *c.* The core training curriculum relating to the
22 identification and reporting of child abuse, as provided
23 in paragraph "b", shall be developed and provided by the
24 department.

25 *d.* An employer of a person required to make a report under
26 subsection 1 may provide supplemental training, specific to
27 identification and reporting of child abuse as it relates to
28 the person's professional practice, in addition to the core
29 training provided by the department.

30 Sec. 4. Section 235B.16, subsection 5, paragraph b, Code
31 2019, is amended to read as follows:

32 *b.* A person required to report cases of dependent adult
33 abuse pursuant to [sections 235B.3](#) and [235E.2](#), other than a
34 physician whose professional practice does not regularly
35 involve providing primary health care to adults, shall

1 complete two hours of training relating to the identification
2 and reporting of dependent adult abuse within six months of
3 initial employment or self-employment which involves the
4 examination, attending, counseling, or treatment of adults
5 on a regular basis. Within one month of initial employment
6 or self-employment, the person shall obtain a statement of
7 the abuse reporting requirements from the person's employer
8 or, if self-employed, from the department. The person shall
9 complete at least two hours of additional dependent adult abuse
10 identification and reporting training every ~~five~~ three years.

11 Sec. 5. Section 235B.16, subsection 5, paragraphs c and d,
12 Code 2019, are amended by striking the paragraphs and inserting
13 in lieu thereof the following:

14 c. The core training curriculum relating to the
15 identification and reporting of dependent adult abuse, as
16 provided in paragraph "b", shall be developed by the department
17 pursuant to subsection 2 and provided by the department.

18 d. An employer of a person required to report cases
19 of dependent adult abuse pursuant to sections 235B.3 and
20 235E.2 may provide supplemental training, specific to the
21 identification and reporting of dependent adult abuse as it
22 relates to the person's professional practice, in addition to
23 the core training provided by the department.

24 Sec. 6. Section 235B.16, subsection 5, paragraph e, Code
25 2019, is amended by striking the paragraph.

26 Sec. 7. TRANSITION PROVISIONS. A child abuse or dependent
27 adult abuse training certificate relating to the identification
28 and reporting of child abuse or dependent adult abuse issued
29 prior to July 1, 2019, remains effective and continues in
30 effect as issued for the five-year period following its
31 issuance.

32 EXPLANATION

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

35 This bill relates to mandatory child abuse and dependent

1 adult abuse reporter training.

2 The bill strikes the requirement that the director of
3 the department of public health review and approve mandatory
4 reporter training curricula for employees who work in a
5 position that classifies the employee as a mandatory reporter
6 and the position classification does not have a mandatory
7 reporter training curriculum approved by a licensing or
8 examining board.

9 The bill eliminates current law relating to mandatory
10 dependent adult abuse training, including training for
11 dependent adult abuse that occurs in facilities and programs,
12 that provides that to the extent a hospital or similar
13 public or private facility provides approved training on
14 the employer's premises, the hours of training completed by
15 employees are included in the calculation of nursing or service
16 hours required to be provided to a patient or resident per day.

17 Current law provides that a hospital or similar institution,
18 or a public or private institution, agency, or facility are
19 responsible for providing mandatory reporter training to
20 employees who are mandatory reporters of child abuse and
21 dependent adult abuse. If a person who is deemed a mandatory
22 reporter is self-employed, employed in a licensed or certified
23 profession, or employed by a facility or program that is
24 subject to licensure, regulation, or approval by a state
25 agency, the person may complete the initial or additional
26 training requirements through any of the following ways: a
27 continuing education program required under Code chapter
28 272C (relating to regulation of licensed professions and
29 occupations); a training program using a curriculum approved by
30 the director of public health pursuant to Code section 135.11
31 (relating to the duties of the director of the department
32 of public health); or a training program using an approved
33 curriculum offered by the appropriate public agency.

34 The bill strikes current law and requires the department
35 of human services to develop curriculum and provide training

1 for all mandatory reporters of child abuse and dependent
2 adult abuse, regardless of the manner in which the person is
3 employed. Under the bill, an employer of a person required
4 by law to make a report of child abuse or dependent adult
5 abuse may provide supplemental child abuse and dependent adult
6 abuse training, specific to the identification and reporting
7 of child abuse or dependent adult abuse as it relates to
8 the person's professional practice, in addition to the core
9 training provided by DHS. The bill increases the frequency of
10 training for mandatory child abuse and dependent adult abuse
11 reporters from once every five years to once every three years,
12 and provides a transition provision for persons who received a
13 child abuse or dependent adult abuse training certificate prior
14 to July 1, 2019.

15 Under current law, a person required to report both child
16 abuse and dependent adult abuse may complete the requisite
17 training through a combined training program. The bill strikes
18 current law and requires such persons to complete separate
19 child abuse training and dependent adult abuse training.