

House File 2014 - Introduced

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BY A. MEYER

A BILL FOR

1 An Act relating to assisted reproduction and providing
2 penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 147.55, Code 2022, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 7A. Sexual abuse in the fourth degree in
4 violation of section 709.4A.

5 Sec. 2. Section 692A.102, subsection 1, paragraph c, Code
6 2022, is amended by adding the following new subparagraph:

7 NEW SUBPARAGRAPH. (012) Sexual abuse in the fourth degree
8 in violation of section 709.4A.

9 Sec. 3. NEW SECTION. **709.4A Sexual abuse in the fourth**
10 **degree — health care professionals.**

11 1. A health care professional commits sexual abuse in the
12 fourth degree when the health care professional implants the
13 health care professional's own human reproductive material
14 through assisted reproduction without the patient's prior
15 knowledge and written consent.

16 2. Sexual abuse in the fourth degree is an aggravated
17 misdemeanor.

18 3. For the purposes of this section:

19 a. "*Assisted reproduction*" means a method of causing
20 pregnancy other than sexual intercourse involving medical or
21 scientific intervention.

22 b. "*Gamete*" means a sperm, an egg, or any part of a sperm
23 or an egg.

24 c. "*Health care professional*" means a person who is
25 licensed, certified, or otherwise authorized or permitted
26 by the laws of this state to administer health care in the
27 ordinary course of business or in the practice of a profession.

28 d. "*Human reproductive material*" means a human gamete or a
29 human organism at any stage of development from fertilized ovum
30 to embryo.

31 e. "*Patient*" means a person who has received or is receiving
32 health services from a health care professional.

33

EXPLANATION

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

1 This bill relates to assisted reproduction.
2 The bill creates the crime of sexual abuse in the fourth
3 degree. A health care professional commits sexual abuse in
4 the fourth degree when the health care professional implants
5 the health care professional's own human reproductive material
6 through assisted reproduction without the patient's prior
7 knowledge and written consent. Sexual abuse in the fourth
8 degree is an aggravated misdemeanor. An aggravated misdemeanor
9 is punishable by confinement for no more than two years and a
10 fine of at least \$855 but not more than \$8,540. Additionally,
11 a health care professional licensed to practice a profession
12 subject to Code chapter 147 who is guilty of committing sexual
13 abuse in the fourth degree as created in the bill is subject
14 to licensure revocation or suspension, or other licensee
15 discipline by the appropriate board for that profession.