

**House File 2065 - Introduced**

HOUSE FILE 2065

BY ANDERSON

**A BILL FOR**

1 An Act relating to the establishment of the Iowa violent death  
2 reporting system.

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

1 Section 1. NEW SECTION. 135.193 Iowa violent death  
2 reporting system — established.

3 1. An Iowa violent death reporting system is established in  
4 the department.

5 2. The Iowa violent death reporting system shall do all of  
6 the following:

7 a. Collect, review, and analyze information, data, and  
8 records pertaining to violent deaths in the state.

9 b. Monitor the incidence of and factors contributing to  
10 violent deaths.

11 c. Perform appropriate epidemiologic studies of violent  
12 deaths.

13 d. Analyze trends and patterns in, and circumstances related  
14 to, violent deaths.

15 e. With the assistance of an advisory group established  
16 under this section, make recommendations to relevant entities  
17 to prevent violent deaths and make other recommendations as  
18 necessary to maintain and administer the Iowa violent death  
19 reporting system.

20 3. The director shall do all of the following:

21 a. Specify the types of violent deaths that shall be  
22 included in the Iowa violent death reporting system.

23 b. Specify the information, data elements, and records to be  
24 collected for use by the Iowa violent death reporting system.

25 c. Specify the sources from which information, data  
26 elements, and records are to be collected for use by the Iowa  
27 violent death reporting system.

28 d. Specify any data collection model to be used by the Iowa  
29 violent death reporting system.

30 e. Establish an advisory group of data providers and  
31 interested stakeholders to make recommendations to the  
32 department for maintaining and administering the Iowa violent  
33 death reporting system and to the governor, the general  
34 assembly, law enforcement agencies and other agencies, and  
35 other appropriate stakeholders to prevent violent deaths based

1 upon an analysis of the violent death data collected.

2 4. The Iowa violent death reporting system shall collect  
3 information regarding violent deaths in this state only from  
4 existing sources relating to violent deaths and shall not  
5 conduct independent criminal investigations in order to obtain  
6 information, data, or records for use by the Iowa violent death  
7 reporting system.

8 5. The Iowa violent death reporting system shall comply  
9 with the data collection guidance provided by the centers for  
10 disease control and prevention national violent death reporting  
11 system.

12 6. Notwithstanding any provision of law to the contrary  
13 pertaining to the sharing or disclosure of information, data,  
14 and records that are required by law to be kept confidential,  
15 any law enforcement agency or medical examiner that responds to  
16 a violent death investigation shall provide information, data,  
17 and records to the Iowa violent death reporting system and  
18 shall otherwise assist the Iowa violent death reporting system  
19 in the execution of this section.

20 7. Information, data, and records collected for use  
21 and maintained by the Iowa violent death reporting system,  
22 including but not limited to medical records, law enforcement  
23 investigative records, laboratory reports, death certificates,  
24 and other information, data, and records concerning a decedent,  
25 and the work product created in executing the purposes  
26 and duties of the Iowa violent death reporting system, are  
27 confidential records under chapter 22 and shall not be subject  
28 to subpoena or discovery while under the control of the Iowa  
29 violent death reporting system. Such information, data, and  
30 records are not admissible in any criminal or civil proceeding  
31 if obtained through or from the Iowa violent death reporting  
32 system.

33 8. At the request of the director, every department, agency,  
34 office of the state, and political subdivision of the state  
35 shall provide information, data, and records and otherwise

1 assist in the execution of the requirements of this section.

2 9. The department shall adopt rules pursuant to chapter 17A  
3 to establish, maintain, and administer the Iowa violent death  
4 reporting system including but not limited to rules relating  
5 to all of the following:

6 a. Procedures to make available to researchers confidential  
7 information collected by the Iowa violent death reporting  
8 system.

9 b. Procedures to make confidential information collected  
10 by the Iowa violent death review team available to the Iowa  
11 domestic abuse death review team and the Iowa child abuse death  
12 review team.

13 10. The department may administer the program through  
14 a contract with a public or private agency experienced in  
15 conducting similar programs.

16 11. For the purposes of this section:

17 a. "*Iowa violent death reporting system*" means the process of  
18 obtaining records pertaining to a violent death, abstracting  
19 specific data elements, and entering those data elements into a  
20 secure federal database.

21 b. "*Violent death*" means a death resulting from the use  
22 of physical force or power against oneself, another person,  
23 or a group or community, and includes but is not limited to  
24 homicide, suicide, legal intervention deaths, undetermined  
25 intent deaths, unintentional firearm deaths, and deaths  
26 resulting from terrorism.

27

#### EXPLANATION

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

30 This bill relates to the Iowa violent death reporting  
31 system.

32 The national violent death reporting system was implemented  
33 in 2005 under the purview of the centers for disease control  
34 and prevention of the United States department of health and  
35 human services. The CDC provides grants to states, including

1 Iowa, to collect data on violent deaths to enter into a  
2 national database. Iowa began collecting data beginning in  
3 calendar year 2015.

4 The existing Iowa violent death reporting system is  
5 authorized, generally, as a duty of the state board of health  
6 and the department of public health (DPH), and under other  
7 general provisions of law. The bill would specifically  
8 establish the reporting system under a separate Code section.

9 The bill establishes the Iowa violent death reporting  
10 system (reporting system) in DPH; specifies the duties of the  
11 reporting system and the director of public health including  
12 the establishment of an advisory group of data providers and  
13 interested stakeholders to make recommendations relating to the  
14 reporting system; requires that the reporting system complies  
15 with data collection guidance provided by the CDC national  
16 violent death reporting system; provides for the sharing and  
17 disclosure of information, data, and records with the reporting  
18 system by law enforcement agencies and the medical examiner  
19 relating to a violent death investigation and for purposes of  
20 administering the reporting system; includes confidentiality  
21 protections; provides for assistance from other departments,  
22 agencies, offices of the state, and political subdivisions  
23 of the state in providing information, data, and records and  
24 in otherwise assisting in the execution of the duties of the  
25 reporting system; and directs DPH to adopt administrative rules  
26 to establish, maintain, and administer the reporting system.

27 The bill defines "Iowa violent death reporting system" and  
28 "violent death" for the purposes of the bill.