

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.