

**House File 569 - Reprinted**

HOUSE FILE 569  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 112)

(As Amended and Passed by the House April 9, 2019)

**A BILL FOR**

1 An Act relating to personal degradation of a dependent adult  
2 as a form of dependent adult abuse by a caretaker regulated  
3 by the department of human services, and making penalties  
4 applicable.

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

1       Section 1. Section 235B.2, subsection 5, paragraph a, Code  
2 2019, is amended by adding the following new subparagraph:

3       NEW SUBPARAGRAPH. (4) (a) Personal degradation of a  
4 dependent adult by a caretaker.

5       (b) (i) "*Personal degradation*" means a willful act or  
6 statement by a caretaker intended to shame, degrade, humiliate,  
7 or otherwise harm the personal dignity of a dependent adult, or  
8 where the caretaker knew or reasonably should have known the  
9 act or statement would cause shame, degradation, humiliation,  
10 or harm to the personal dignity of a reasonable person.

11 "*Personal degradation*" includes the taking, transmission,  
12 or display of an electronic image of a dependent adult by a  
13 caretaker, where the caretaker's actions constitute a willful  
14 act or statement intended to shame, degrade, humiliate, or  
15 otherwise harm the personal dignity of the dependent adult, or  
16 where the caretaker knew or reasonably should have known the  
17 act would cause shame, degradation, humiliation, or harm to the  
18 personal dignity of a reasonable person.

19       (ii) "*Personal degradation*" does not include any of the  
20 following:

21       (A) The taking, transmission, or display of an electronic  
22 image of a dependent adult for the purpose of reporting  
23 dependent adult abuse to law enforcement, the department,  
24 or any other regulatory agency that oversees caretakers or  
25 enforces abuse or neglect provisions, or for the purpose of  
26 treatment or diagnosis or as part of an ongoing investigation.

27       (B) The taking, transmission, or display of an electronic  
28 image by a caretaker who takes, transmits, or displays the  
29 electronic image in accordance with the confidentiality policy  
30 and release of information or consent policies of a contractor,  
31 employer, or facility or program not covered under section  
32 235E.1, subsection 5, paragraph "a", subparagraph (3).

33       (C) A statement by a caretaker who is the spouse of a  
34 dependent adult that is not intended to shame, degrade,  
35 humiliate, or otherwise harm the personal dignity of the

1 dependent adult spouse.

2 Sec. 2. Section 235B.3, subsection 1, paragraph c, Code  
3 2019, is amended to read as follows:

4 c. A report of dependent adult abuse that meets the  
5 definition of dependent adult abuse under section 235B.2,  
6 subsection 5, paragraph "a", subparagraph (1), subparagraph  
7 division (a) or (d), or section 235B.2, subsection 5, paragraph  
8 "a", subparagraph (4), which the department determines is  
9 minor, isolated, and unlikely to reoccur shall be collected  
10 and maintained by the department as an assessment only for  
11 a five-year period and shall not be included in the central  
12 registry and shall not be considered to be founded dependent  
13 adult abuse. However, a subsequent report of dependent adult  
14 abuse that meets the definition of dependent adult abuse under  
15 section 235B.2, subsection 5, paragraph "a", subparagraph  
16 (1), subparagraph division (a) or (d), or section 235B.2,  
17 subsection 5, paragraph "a", subparagraph (4), that occurs  
18 within the five-year period and that is committed by the  
19 caretaker responsible for the act or omission which was the  
20 subject of the previous report of dependent adult abuse which  
21 the department determined was minor, isolated, and unlikely to  
22 reoccur shall not be considered minor, isolated, and unlikely  
23 to reoccur.