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HUMAN RESOURCES

HOUSE FILE 2436

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and GASKILL

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring certain employees or operators of a licensed
2 substance abuse program or facility to be mandatory reporters
3 of dependent adult abuse and making a penalty applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF-2436

1 Section 1. Section 235B.3, subsection 2, Code 2005, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. i. An employee or operator of a substance
4 abuse program or facility licensed under chapter 125.

5 EXPLANATION

6 This bill amends Code section 235B.3 to include certain
7 employees or operators of a licensed substance abuse program
8 or facility in the list of mandatory reporters of dependent
9 adult abuse. In order for the requirement for reporting of
10 suspected abuse to the department of human services to be
11 applicable, the employee or operator must, in the course of
12 employment, examine, attend, counsel, or treat a dependent
13 adult and reasonably believe the dependent adult has suffered
14 abuse.

15 Under current law, a mandatory reporter of dependent adult
16 abuse who knowingly and willfully fails to report the abuse
17 commits a simple misdemeanor and is civilly liable for the
18 damages proximately caused by the failure.

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