

1 HB240
2 197285-1
3 By Representative Weaver
4 RFD: Judiciary
5 First Read: 20-MAR-19

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, there is no provision
9 for a physician, health care professional, health
10 care facility director, administrator, or his or
11 her designee, to report an injury likely caused by
12 a crime or an act of violence.

13 This bill would create the Crimes of
14 Violence Treatment Reporting Act.

15 This bill would require a physician, health
16 care professional, health care facility director,
17 administrator, or a designee, to report to the
18 appropriate law enforcement authorities when any
19 person with a particular injury, wound, or illness
20 is treated.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 To create the Crimes of Violence Treatment Reporting
27 Act; to require a physician, health care professional, health

1 care facility director, administrator, or his or her designee,
2 to report to the appropriate law enforcement authorities when
3 any person with a particular injury, wound, or illness is
4 treated; to require a treating physician, health care
5 professional, health care facility director, administrator, or
6 his or her designee, to report to the appropriate law
7 enforcement authorities if the injury, wound, or illness
8 appears to be the result of non-accidental trauma; and to
9 provide immunity to a reporting health care official for
10 reporting the treatment of an individual for certain injuries
11 and illnesses.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. This act shall be known and may be cited
14 as the Crimes of Violence Treatment Reporting Act.

15 Section 2. (a) Any wound, injury, or illness
16 consistent with or showing signs of a bullet or gunshot wound,
17 a powder burn, or any other injury arising from, caused by, or
18 appearing to arise from or be caused by, the discharge of a
19 firearm, any illness apparently caused by poisoning, any wound
20 or injury caused, or apparently caused by, a knife or sharp or
21 pointed instrument that results in grave bodily harm or grave
22 illness appearing to the treating physician or health care
23 professional to be the result of a criminal act of violence,
24 shall be reported by the physician, health care professional,
25 or health care facility director or administrator, or his or
26 her designee, before, during, or after completion of treatment
27 of the person suffering from the wound, injury, or illness, to

1 the appropriate law enforcement authority when the injury or
2 illness is treated at any hospital or health care institution
3 or facility in this state.

4 (b) Any report made pursuant to subsection (a) shall
5 include if known, the name, age, sex, and race of the person
6 treated, his or her residential address or current location,
7 and the character and extent of his or her injury, wound, or
8 illness believed to be the result of a criminal act or act of
9 violence.

10 (c) Any physician, health care professional, health
11 care facility director, administrator, or other designated
12 person who, in good faith, makes a report to the appropriate
13 law enforcement authority pursuant to this section is immune
14 from any civil or criminal liability that may otherwise be
15 incurred or imposed as the result of the report.

16 Section 3. This act shall become effective on the
17 first day of the third month following its passage and
18 approval by the Governor, or its otherwise becoming law.