

1 HB288
2 197710-1
3 By Representatives Clarke, Jones (S), Ball, Farley, Rowe,
4 Treadaway, Robertson, Simpson, Stringer, Brown (C), Reynolds,
5 Wilcox, Gaston, Pringle, Bracy, Gray, Lawrence, Chestnut,
6 Rafferty, Forte, Drummond, Howard, Grimsley and Jackson
7 RFD: Public Safety and Homeland Security
8 First Read: 21-MAR-19

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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 require any member or
14 employee of the health care profession to
15 immediately report to law enforcement any injury
16 resulting from a gunshot or other act of violence
17 and to provide written notation in the patient's
18 medical record.

19 This bill would also provide civil immunity
20 to anyone who complies with the reporting
21 requirement.

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23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 Relating to health care professionals; to require
2 any member or employee of the medical profession to
3 immediately report to law enforcement any injury resulting
4 from a gunshot or other act of violence and to provide written
5 notation in the patient's medical record; to provide civil
6 immunity to anyone who complies with the reporting
7 requirement.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. (a) Any physician, nurse, or employee
10 thereof and any employee of a hospital, mental health
11 facility, clinic, or nursing home knowingly treating a person
12 suffering from a gunshot wound or life-threatening injury
13 indicating an act of violence, or receiving a request for such
14 treatment, shall report the injury immediately to the sheriff
15 of the county or law enforcement official of the municipality
16 in which the wounded person was presented for treatment. A
17 written notice of the report shall be made on the patient's
18 medical record.

19 (b) Any person or persons who, in good faith, makes
20 a report or causes a report to be made to the appropriate law
21 enforcement authority pursuant to subsection (a), or
22 participates in any judicial proceeding or any other
23 proceeding resulting from the report shall be immune from any
24 civil liability.

25 Section 2. This act shall become effective on the
26 first day of the third month following its passage and
27 approval by the Governor, or its otherwise becoming law.

