

HOUSE BILL REPORT

HB 1730

As Reported by House Committee On:

Health Care

Title: An act relating to the reporting of specified injuries by trauma health care providers.

Brief Description: Requiring certain health care providers to report gunshot or knife wounds to the authorities.

Sponsors: Representatives Schual-Berke, Skinner, Clements, Pennington, Kagi, Linville, Cody, Campbell, Lovick, Cox, Ruderman, Ballasiotes, O'Brien, Hunt, Edwards, Dickerson, Grant, Darneille and Keiser.

Brief History:

Committee Activity:

Health Care: 2/20/01, 2/22/01 [DPS].

Brief Summary of Substitute Bill

- Health care practitioners, hospitals and other health care facilities, are required to report gunshot wounds to appropriate law enforcement agencies within a reasonable period of time, but before release of the patient.
- Persons reporting gunshot or knife wounds are immune from civil liability.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Alexander, Ballasiotes, Conway, Darneille, Edmonds, Edwards, Marine, McMorris, Pennington and Ruderman.

Staff: John Welsh (786-7133).

Background:

Current law does not provide for immediate notification of law enforcement agencies by physicians or hospital emergency room attendants treating gunshot wounds to assist law

enforcement if the circumstance is a result of illegal activity.

However, physicians are required to report to the Department of Health on a monthly basis gunshot wounds for data collection purposes relating to acts of violence, at-risk behaviors, and risk and protective factors. The data is used by the department in the development of a public health services improvement plan for use by local public health departments for assessment, performance measurement, and policy development to prevent health problems caused by criminal violence, suicide, substance abuse, child abuse, domestic violence and other high risk factors. Gunshot trauma is declared to be a significant public health problem which warrants mandatory reporting for purposes of monitoring, assessment, and the development of prevention strategies.

Summary of Substitute Bill:

A physician, nurse, or hospital attendant treating a person with a gunshot or knife wound must immediately notify the nearest law enforcement agency of the circumstances, including the name and description of the patient, and the character of the wound.

The person making the report in good faith is immune from civil liability.

Substitute Bill Compared to Original Bill:

All health practitioners, as well as hospitals, are required to report. Confidential communications between health care practitioners and patients are abrogated to the extent of the reporting.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is an aid to law enforcement in addressing possible criminal activity. Besides being a public safety issue, it is a public health issue as violence is becoming an increasing factor in our society.

Testimony Against: None.

Testified: (In support) Nancy Auer, Washington State Medical Association; and Ellie Menzies, SEIU.

(Support with concerns) Randi Abrams, city of Seattle.

(Concerns) Robb Menaul, Washington State Hospital Association.