

State of Iowa Child Death Review Legislation

Iowa Statute § 641-90.1 (1995) and House File 409

Link: <http://www.legis.state.ia.us/GA/76GA/Legislation/HF/00400/HF00409/Current.html>

Section 1. IOWA CHILD DEATH REVIEW TEAM; FINDINGS AND PURPOSE.

1. The general assembly finds the following:
 - a. Protection of the health and welfare of the children of this state is a goal of its people and the death of children is an important public health concern that requires legislative action.
 - b. Collecting accurate data on the cause and manner of deaths will better enable the state to identify preventable deaths, and thus help reduce the incidence of such deaths.
 - c. Multidisciplinary review of child deaths is a mechanism to assist the state in developing a greater understanding of the incidence and causes of child deaths and the methods for prevention of such deaths.
2. The purpose of the child death review team is to aid in the reduction of the incidence of serious injury and death to children by accurately identifying the cause and manner of death of children.

Sec. 2. NEW SECTION. 144D.1 IOWA CHILD DEATH REVIEW TEAM ESTABLISHED; DUTIES.

1. An Iowa child death review team is established as an independent agency of state government. The Iowa department of public health and the department of human services shall provide staffing and administrative support to the team.
2. The membership of the review team is subject to the provisions of sections 69.16 and 69.16A, relating to political affiliation and gender balance. Review team members who are not designated by another appointing authority shall be appointed by the director of public health and the director of human services. Membership terms shall be for three years. A membership vacancy shall be filled in the same manner as the original appointment. The review team shall elect a chairperson and other officers as deemed necessary by the review team. The review team shall meet upon the call of the chairperson, upon the request of a state agency, or as determined by the review team. The members of the team are eligible for reimbursement of actual and necessary expenses incurred in the performance of their official duties. The review team shall include the following:
 - a. The state medical examiner or the state medical examiner's designee.
 - b. A designee of the director of public health.
 - c. A designee of the director of human services.
 - d. A designee of the commissioner of public safety.
 - e. A designee of the administrator of the division of vital records of the Iowa department of public health.
 - f. A designee of the attorney general.
 - g. A designee of the director of transportation.
 - h. A designee of the director of the department of education.

- i. A certified or licensed professional who is knowledgeable concerning sudden infant death syndrome.
- j. Two pediatricians who are knowledgeable concerning deaths of children.
- k. Two mental health professionals who are knowledgeable concerning deaths of children.
- l. Two social workers who are knowledgeable concerning deaths of children.
- m. A certified or licensed professional who is knowledgeable concerning domestic violence.
- n. A professional who is knowledgeable concerning substance abuse.
- o. A local law enforcement official.
- p. A county attorney.
- q. A nurse who is knowledgeable concerning the deaths of children.
- r. A perinatal expert.
- s. A representative of the health insurance industry.
- t. Three others appointed at large.

3. The review team shall perform the following duties:

- a. Collect, review, and analyze child death certificates and child death data, including patient records or other pertinent confidential information concerning the deaths of children age six or younger, and other information as the review team deems appropriate for use in preparing an annual report to the governor and the general assembly concerning the causes and manner of child deaths. The report shall include analysis of factual information obtained through review and recommendations regarding prevention of child deaths.
- b. Recommend to the governor and the general assembly interventions to prevent deaths of children based on an analysis of the cause and manner of such deaths.
- c. Recommend to the agencies represented on the review team changes, which may prevent child deaths.
- d. Maintain the confidentiality of any patient records or other confidential information reviewed.
- e. Review the conduct of any child abuse investigation upon the request of the department of human services, including but not limited to the case files, methodology, and conclusions.

4. The review team may establish subcommittees to which the team may delegate some or all of the team's responsibilities under subsection 3.

5. The Iowa department of public health and the department of human services shall adopt rules providing for disclosure of information which is confidential under chapter 22 or any other provision of state law, to the review team for purposes of performing its child death and child abuse review responsibilities.

Sec. 3. MULTIDISCIPLINARY CHILD ABUSE INTERVENTION AND PROSECUTION TEAMS. The attorney general is requested to form a multidisciplinary committee to develop a proposal for the establishment of regional multidisciplinary teams to focus upon child abuse prosecution and intervention needs. The attorney general is requested to submit a report of the

committee findings to the governor and the general assembly prior to the 1996 legislative session. The committee should consider other state statutory schemes for multidisciplinary teams, provide options for regional groupings, review options for special focus teams to concentrate on particular types of abuse such as sexual abuse, and recommend possible funding mechanisms.

EXPLANATION

This bill relates to provisions for review of child deaths and child abuse. New section 144D.1 constitutes a new chapter creating an Iowa child death review team as an independent agency of state government. Legislative findings and purposes are outlined in a session law provision. Administrative and staffing support for the team is to be provided by the Iowa department of public health and the department of human services. The review team is to review information concerning the death of children age six and younger and to review child abuse investigations at the request of the department of human services. The review team is to include representatives of various state agencies with most appointments made by the directors of public health and human services. The review team is authorized to appoint subcommittees to which its responsibilities may be delegated. The attorney general is requested to establish a multidisciplinary committee to review and make recommendations concerning establishment of regional multidisciplinary teams to focus upon child abuse prosecution and intervention needs. If a committee is established, a report is to be submitted by the attorney general to the governor and the general assembly prior to the 1996 legislative session.