
DIGEST

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HB 126 Original

2019 Regular Session

Moss

Abstract: Provides relative to the mandatory reporting by healthcare providers of gunshot wounds and certain other life-threatening injuries presented for treatment at a healthcare facility.

Present law provides that in every case of a gunshot wound or injury presented for treatment to a medical professional, practitioner, or associated person, that professional, practitioner, or associated person shall make an oral notification to either the sheriff of the parish in which the wounded person was presented for treatment, or the chief or superintendent of police in the municipality in which the wounded person was presented for treatment immediately after complying with all applicable state and federal laws, rules, and regulations related to the treatment of emergencies and before the wounded person is released from the hospital. Present law requires that written notation of this action shall be made on the emergency record.

Present law further provides that any person who fails to file a report, or knowingly files a false report, under present law shall be fined not more than \$500 or imprisoned for not more than six months, or both.

Proposed law does all of the following:

- (1) Expands present law to require the reporting of gunshot wounds and other life-threatening injuries that are reasonably believed to be caused by an act of violence.
- (2) Amends present law to provide that the required report shall be made by any physician, nurse, other healthcare provider, or any employee of the hospital, sanitarium, medical clinic, or other healthcare facility where the person is treated or has requested treatment.
- (3) Amends present law to provide that the report shall be made to the law enforcement agency having jurisdiction in the place where the person is being treated or has requested treatment.
- (4) Removes the present law requirement that the report be made after compliance with all applicable state and federal laws, rules, and regulations related to the treatment of emergencies.
- (5) Retains the present law penalties and the requirement that a written notation of the report be made in the emergency record.

(Amends R.S. 14:403.5(A), (B), and (E))

