

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2803 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Scott Biggs _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2803

By: Biggs

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to crimes and punishments;
10 establishing certain reporting requirement;
11 prohibiting retaliation or interference with
12 reporting obligation; providing for damages, costs
13 and attorney fees; directing health care
14 professionals to provide certain records to law
15 enforcement; making certain acts unlawful; providing
16 penalties; defining term; making certain act
17 unlawful; providing penalty; providing for
18 codification; and providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 593 of Title 21, unless there is
22 created a duplication in numbering, reads as follows:

23 A. Every person that has had contact with a victim of abuse or
24 neglect or has reason to believe that an individual is a victim of
abuse or neglect shall report the matter promptly to any local law
enforcement agency or the Department of Human Services. Reports to

1 the Department of Human Services shall be made to the hotline
2 provided for in Section 1-2-101 of Title 10A of the Oklahoma
3 Statutes.

4 B. No privilege or contract shall relieve any person from the
5 requirement of reporting pursuant to this section.

6 C. The reporting obligations under this section are individual,
7 and no employer, supervisor or administrator shall interfere with
8 the reporting obligations of any employee or other person or in any
9 manner discriminate or retaliate against the employee or other
10 person who in good faith reports suspected abuse or neglect, or who
11 provides testimony in any proceeding involving abuse or neglect.
12 Any employer, supervisor or administrator who discharges,
13 discriminates or retaliates against the employee or other person
14 shall be liable for damages, costs and attorney fees.

15 D. Every physician, surgeon or other health care professional
16 making a report of abuse or neglect as required by this section or
17 examining a person to determine the likelihood of abuse or neglect
18 and every hospital or related institution in which the person was
19 examined or treated shall provide, upon request, copies of the
20 results of the examination or copies of the examination on which the
21 report was based and any other clinical notes, x-rays, photographs
22 and other previous or current records relevant to the case to law
23 enforcement officers conducting a criminal investigation into the
24 case.

1 E. Any person who knowingly and willfully fails to promptly
2 report suspected abuse or neglect or who interferes with the prompt
3 reporting of suspected abuse or neglect may be reported to local law
4 enforcement for criminal investigation and, upon conviction, shall
5 be guilty of a misdemeanor. Any person with prolonged knowledge of
6 ongoing abuse or neglect who knowingly and willfully fails to
7 promptly report such knowledge may be reported to local law
8 enforcement for criminal investigation and, upon conviction, shall
9 be guilty of a felony. For the purposes of this subsection,
10 "prolonged knowledge" shall mean knowledge of at least six (6)
11 months of abuse or neglect.

12 F. Any person who knowingly and willfully makes a false report
13 pursuant to the provisions of this section, or a report that the
14 person knows lacks factual foundation, may be reported to local law
15 enforcement for criminal investigation and, upon conviction, shall
16 be guilty of a misdemeanor.

17 SECTION 2. This act shall become effective November 1, 2014.

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19 54-2-9831 GRS 01/31/14

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