

PERSONAL DEGRADATION

House File 544

As a form of Dependent Adult Abuse by Caretakers in facilities and programs regulated by Inspections and Appeals.

Section 1. Section 235E.1 subsection 5, paragraph a, Code 2017, is amended by adding the following new subparagraph: NEW PARAGRAPH. (3) Personal Degradation of a dependent adult. “*Personal degradation*” means a willful act or statement by a caretaker intended to shame, degrade, humiliate, or otherwise harm the personal dignity of a dependent adult, or where the caretaker knew or reasonably should have known the act or statement would cause shame, degradation, humiliation, or harm to the personal dignity of a reasonable person. “*Personal degradation*” includes the taking, transmission, or display of an electronic image of a dependent adult by a caretaker, where the caretaker’s actions constitute a willful act or statement intended to shame, degrade, humiliate, or otherwise harm the personal dignity of the dependent adult, or where the caretaker knew or reasonably should have known the act would cause shame, degradation, humiliation, or harm to the personal dignity of a dependent adult for the purpose of reporting dependent adult abuse to law enforcement, the department or other regulatory agency that oversees caretakers or enforces abuse or neglect provisions, or for the purpose of treatment of diagnosis or as part of an ongoing investigation. “*Personal degradation*” also does not include the taking, transmission, or display of an electronic image by a caretaker in accordance with the facility’s or program’s confidentiality policy and release of information or consent policies.