

Introduced: 2/6/84
Referred: Health, Education and
Social Services, Judiciary & Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 583

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to report of certain injuries."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 18.20 is amended by adding new sections to read:

9 ARTICLE 4. REPORT OF CERTAIN INJURIES.

10 Sec. 18.20.270. REPORT OF CERTAIN INJURIES BY HEALTH CARE FACIL-
11 ITIES OR PRACTITIONERS. (a) The manager or administrator of a hospi-
12 tal, nursing home, public health center, or other health care facility
13 in the state, or of a ward or other part of such a facility, to which
14 a person suffering from an injury described in (c) of this section
15 comes or is brought shall immediately report the injury to the Depart-
16 ment of Public Safety, the local police department, or the local
17 village police officer.

18 (b) A practitioner of the healing arts who examines or treats a
19 person suffering from an injury described in (c) of this section shall
20 immediately report the injury to the Department of Public Safety, the
21 local police department, or the local village police officer.

22 (c) This section applies to

23 (1) a bullet wound, powder burn, or other injury apparently
24 caused by the discharge of a firearm;

25 (2) an injury apparently caused by a knife, axe, or other
26 sharp or pointed instrument, unless clearly accidental; and

27 (3) an injury which is likely to or may result in death,
28 unless clearly accidental.

29 (d) For purposes of reporting an injury under this section,

1 included in the factors a person may consider when determining whether
2 an injury is clearly accidental are the following:

- 3 (1) examination;
- 4 (2) statements made by the injured person; and
- 5 (3) statements made by others.

6 (e) A report required under this section must be immediately
7 made orally, by telephone or otherwise, and followed as soon as possi-
8 ble by a written report. Both the oral and the written forms of the
9 report must include the name and address of the injured person, a
10 description of the person, including sex, race, and age, the person's
11 present whereabouts, a description of the character and extent of the
12 person's injuries, and the name of any person who brought the injured
13 person for treatment.

14 (f) A person who, in good faith, makes a report under this
15 section, or who participates in judicial proceedings related to a
16 report under this section, is immune from any civil or criminal lia-
17 bility which might otherwise be incurred as a result of making such a
18 report or participating in such judicial proceedings.

19 (g) A person who fails to make both the oral and written form of
20 the report required under this section is guilty of a class B misde-
21 meanor.

22 (h) Nothing in this section prohibits a manager or administrator
23 of a health care facility or a practitioner of the healing arts from
24 reporting apparently nonaccidental serious injuries in addition to
25 those required to be reported under this section.

26 Sec. 18.20.280. DEFINITIONS. In AS 18.20.270 -- 18.20.280,

27 (1) "firearm" means a weapon, including a pistol, revolver,
28 rifle, BB gun, or shotgun, designed for discharging a shot capable of
29 causing death or serious physical injury;

1 (2) "health care facility" means a business or institution
2 which provides, on a regular basis, health-related care and services
3 to individuals;

4 (3) "hospital" means a public or private institution pri-
5 marily engaged in providing to inpatients, under the supervision of
6 physicians, diagnostic services and therapeutic services for medical
7 diagnosis, treatment, and care of injured, disabled, or sick persons,
8 or rehabilitation of injured, disabled, or sick persons;

9 (4) "nursing home" means a facility in which nursing care
10 and medical services are prescribed by or performed under the general
11 direction of physicians for the accommodation of convalescents or
12 other persons who are not acutely ill and not in need of hospital
13 care, but who require skilled nursing care and related medical ser-
14 vices;

15 (5) "practitioner of the healing arts" includes chiroprac-
16 tors, dentists, emergency medical technicians, health aides, interns,
17 midwives, naturopaths, nurses, optometrists, osteopaths, physical
18 therapists, paramedics, physicians, physician assistants, psychia-
19 trists, psychologists, religious healing practitioners, and surgeons;

20 (6) "public health center" means a publicly-owned facility
21 providing public health services, including related facilities such as
22 a laboratory, clinic, or pharmacy;

23 (7) "village police officer" means a village police officer
24 or a village public safety officer.