

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 266

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO SEXUAL ASSAULT EVIDENCE KITS; AMENDING SECTION 39-1390, IDAHO
2 CODE, TO PROVIDE THAT CERTAIN INFORMATION SHALL BE EXCLUDED IN A REPORT
3 TO LAW ENFORCEMENT IN CERTAIN INSTANCES AND TO MAKE TECHNICAL CORREC-
4 TIONS.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 39-1390, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 39-1390. REPORTS TO LAW ENFORCEMENT AGENCIES OF CERTAIN TYPES OF IN-
10 JURIES. (1) As soon as treatment permits, any person operating a hospital or
11 other medical treatment facility, or any physician, resident on a hospital
12 staff, intern, physician assistant, nurse or emergency medical technician,
13 shall notify the local law enforcement agency of that jurisdiction upon the
14 treatment of or request for treatment of a person when the reporting person
15 has reason to believe that the person treated or requesting treatment has re-
16 ceived:

- 17 (a) Any injury inflicted by means of a firearm; or
- 18 (b) Any injury indicating that the person may be a victim of a criminal
19 offense.

20 (2) The report provided to the law enforcement agency pursuant to sub-
21 section (1) of this section shall include the name and address of the injured
22 person, the character and extent of the person's injuries, and the medical
23 basis for making the report. Provided however, that when an adult injured
24 person is being seen for the purposes of administration of an anonymous sex-
25 ual assault evidence kit pursuant to section 67-2919, Idaho Code, the name,
26 address, and any other personally identifying information of the adult in-
27 jured person shall not be included in the report.

28 (3) Any person operating a medical facility, or any physician, resident
29 on a hospital staff, intern, physician assistant, nurse or emergency medical
30 technician, shall be held harmless from any civil liability for his reason-
31 able compliance with the provisions of this section.