

SENATE BILL REPORT

SB 6621

As Reported By Senate Committee On:
Health & Long-Term Care, February 6, 1998

Title: An act relating to reporting of domestic violence by physicians.

Brief Description: Requiring physicians to report suspected cases of domestic violence.

Sponsors: Senators Wojahn, Wood, Prentice, Winsley, McAuliffe, Kline, Franklin, B. Sheldon, Thibaudeau, Snyder, Goings, Fraser, Fairley and Kohl.

Brief History:

Committee Activity: Health & Long-Term Care: 2/3/98, 2/6/98 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6621 be substituted therefor, and the substitute bill do pass.

Signed by Senators Deccio, Chair; Wood, Vice Chair; Benton, Strannigan and Wojahn.

Staff: Joanne Conrad (786-7472)

Background: Domestic violence appears to be increasing in American society, according to studies and reports. Some believe that physicians are in a position to detect signs of abuse in patients, even those who present with symptoms other than physical trauma.

Physicians are currently required to report certain diseases and conditions that are a public health threat. However, they are not required to report suspected incidents of domestic violence.

Summary of Substitute Bill: Physicians (including medical doctors, podiatric physicians and surgeons, and doctors of osteopathy) have a statutory duty to report incidents of suspected domestic violence, based upon clinical evidence, to appropriate law enforcement agencies.

Physicians must tell the patient who may be a domestic violence victim of resources for immediate help, including local shelters and a 24-hour hotline for domestic violence referral.

Physicians who make reports in good faith are immune from liability. Making a bad faith or intentionally false report is a misdemeanor. Failure to report is a gross misdemeanor, unless there is reason to believe that making the report would place the patient or patient's family/household member in danger of harm.

Substitute Bill Compared to Original Bill: Podiatrists are included as mandatory reporters.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Doctors under-report domestic abuse and are in a good position to refer women patients to legal and counseling help.

Testimony Against: None.

Testified: Senator Wojahn, prime sponsor; **NEUTRAL:** Sue Tracy, WSMA; Melanie Stewart, WA State Podiatric Medical Association; Sharon Case, WA State Coalition Against Domestic Violence.