

Chapter 23a

Injury Reporting by Health Care Providers

26-23a-1 Definitions.

As used in this chapter:

- (1) "Health care provider" means any person, firm, corporation, or association which furnishes treatment or care to persons who have suffered bodily injury, and includes hospitals, clinics, podiatrists, dentists and dental hygienists, nurses, nurse practitioners, physicians and physicians' assistants, osteopathic physicians, naturopathic practitioners, chiropractors, acupuncturists, paramedics, and emergency medical technicians.
- (2) "Injury" does not include any psychological or physical condition brought about solely through the voluntary administration of prescribed controlled substances.
- (3) "Law enforcement agency" means the municipal or county law enforcement agency:
 - (a) having jurisdiction over the location where the injury occurred; or
 - (b) if the reporting health care provider is unable to identify or contact the law enforcement agency with jurisdiction over the injury, "law enforcement agency" means the agency nearest to the location of the reporting health care provider.
- (4) "Report to a law enforcement agency" means to report, by telephone or other spoken communication, the facts known regarding an injury subject to reporting under Section 26-23a-2 to the dispatch desk or other staff person designated by the law enforcement agency to receive reports from the public.

Amended by Chapter 23, 1996 General Session

26-23a-2 Injury reporting requirements by health care provider -- Contents of report.

- (1)
 - (a) Any health care provider who treats or cares for any person who suffers from any wound or other injury inflicted by the person's own act or by the act of another by means of a knife, gun, pistol, explosive, infernal device, or deadly weapon, or by violation of any criminal statute of this state, shall immediately report to a law enforcement agency the facts regarding the injury.
 - (b) The report shall state the name and address of the injured person, if known, the person's whereabouts, the character and extent of the person's injuries, and the name, address, and telephone number of the person making the report.
- (2) A health care provider may not be discharged, suspended, disciplined, or harassed for making a report pursuant to this section.
- (3) A person may not incur any civil or criminal liability as a result of making any report required by this section.
- (4) A health care provider who has personal knowledge that the report of a wound or injury has been made in compliance with this section is under no further obligation to make a report regarding that wound or injury under this section.

Amended by Chapter 23, 1996 General Session

26-23a-3 Penalties.

Any health care provider who intentionally or knowingly violates any provision of Section 26-23a-2 is guilty of a class B misdemeanor.

Enacted by Chapter 238, 1988 General Session