

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2160 (Formerly HF 2014)	House Committee:	PASSED on January 26 (20-1)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Jones	Senate Floor:	
Date:	February 21, 2022	Governor:	
Staff:	Amanda Wille (1-5230)		

Fourth Degree Sexual Abuse

- A health care professional who uses their own genetic material during assisted reproduction is guilty of fourth degree sexual abuse.
- The health care professional can lose their license, be charged with an aggravated misdemeanor and have to register as a sex offender.
- **Fiscal Note:** Average state cost per aggravated misdemeanor is \$4,900 to \$9,500. This cost would be incurred over multiple fiscal years.

Section by Section Analysis

Section 1-General Provisions Health Related Professions- Grounds (147.55)

A health care professional who commits sexual abuse in the fourth degree is guilty of an aggravated misdemeanor and is subject to licensure suspension, revocation, or other license discipline by the board of medicine.

Section 2- Sex Offender Registry- Sex Offense Classifications (692A.102)

A health care professional who is convicted of sexual abuse in the fourth degree will also be placed on the sex offender registry.

Section 3- Sexual Abuse- Sexual Abuse in the Fourth Degree- Health Care Professionals (709.4A)

Sexual abuse in the fourth degree occurs when a health care professional uses their own genetic material during assisted reproduction without the patient's prior knowledge and written consent.

Section 4- Limitation of Criminal Action- Sexual Abuse- First, Second, Third, or Fourth Degree (802.2)

The statute of limitations is also extended for fourth degree sexual abuse. This means the statute of limitations for this does not begin until the crime has been discovered.

Amendment Analysis