

Hall of the House of Representatives
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of House Bill No. 1405

TO PROVIDE FOR MEDICAL SPECIALIST EXAMINATIONS AND FORENSIC ASSESSMENTS DURING A
CHILD MALTREATMENT INVESTIGATION.

Amendment No. 2 to House Bill 1405

Amend House Bill No. 1405 as engrossed H2/8/21 (version: 02/08/2021 9:39:11 AM):

Delete the title in its entirety and substitute:

"AN ACT TO CREATE "QUINCY'S LAW"; TO PROVIDE FOR CONSIDERATION OF A
DIFFERENTIAL DIAGNOSIS IN AN INVESTIGATION INVOLVING ABUSE UNDER THE CHILD
MALTREATMENT ACT; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute:

"TO CREATE "QUINCY'S LAW"; AND TO PROVIDE FOR CONSIDERATION OF A DIFFERENTIAL
DIAGNOSIS IN AN INVESTIGATION INVOLVING ABUSE UNDER THE CHILD MALTREATMENT
ACT."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. DO NOT CODIFY. Title.
This act shall be known and may be cited as "Quincy's Law".

SECTION 2. Arkansas Code § 12-18-614 is amended to read as follows:
12-18-614. Submission to a physical exam or other testing.

(a) An investigation under this chapter may include a physical
examination, a drug test, radiology procedures, photographs, and a
psychological or psychiatric examination of all children subject to the care,
custody, or control of the alleged offender.

(b)(1) If the report of child maltreatment or suspected child
maltreatment alleges abuse as defined in § 12-18-103, the alleged offender
may:

(A)(i) For the purpose of obtaining a second opinion,
request that the alleged victim be examined by a healthcare provider who:

(a) Did not perform the initial examination,
test, or procedure described under subsection (a) of this section; and



(b) Routinely provides care to pediatric patients.

(ii) An examination performed under subdivision (b)(1)(A)(i) of this section shall be paid for by the alleged offender or as otherwise covered by insurance or Medicaid; and

(B) Request that a healthcare provider who routinely provides care to pediatric patients and who has evaluated the alleged victim determine whether or not the alleged victim has one (1) or more of the following medical conditions:

(i) Rickets;

(ii) Ehlers-Danlos syndrome;

(iii) Osteogenesis imperfecta;

(iv) Vitamin D deficiency; or

(v) Another medical condition that may:

(a) Appear to be caused by suspected child maltreatment; or

(b) Increase the risk of a misdiagnosis of child maltreatment.

(2) A healthcare provider evaluation under subdivision (b)(1) of this section shall not be requested for the purpose of obtaining a second opinion on whether or not an alleged victim has been a victim of sexual abuse."

The Amendment was read _____
By: Representative Brown
JNL/JNL - 03-23-2021 15:13:54
JNL346

Chief Clerk