

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H2/8/21 H3/29/21

A Bill

HOUSE BILL 1405

5 By: Representative Brown
6 By: Senator A. Clark
7

For An Act To Be Entitled

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

15 TO CREATE "QUINCY'S LAW"; AND TO PROVIDE
16 FOR CONSIDERATION OF A DIFFERENTIAL
17 DIAGNOSIS IN AN INVESTIGATION INVOLVING
18 ABUSE UNDER THE CHILD MALTREATMENT ACT.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. DO NOT CODIFY. Title.

25 This act shall be known and may be cited as "Quincy's Law".
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27 SECTION 2. Arkansas Code § 12-18-614 is amended to read as follows:
28 12-18-614. Submission to a physical exam or other testing.

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

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

36 (A)(i) For the purpose of obtaining a second opinion,



1 request that the alleged victim be examined by a healthcare provider who:

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

4 (b) Routinely provides care to pediatric
5 patients.

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

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

13 (i) Rickets;

14 (ii) Ehlers-Danlos syndrome;

15 (iii) Osteogenesis imperfecta;

16 (iv) Vitamin D deficiency; or

17 (v) Another medical condition that may:

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

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

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

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28 /s/Brown
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