A RESOLUTION

To encourage the Iowa State Legislature to adopt the policy recommendations for Medical Amnesty in the State of Iowa put forth by UISG and ISUSG.

Section 1. Short Title

This Resolution may be cited as the “UISG Resolution for Medical Amnesty in the State of Iowa”

Whereas, medical amnesty policies are defined as policies that protect from prosecution persons who experience a medical emergency caused by the illegal possession or consumption of alcohol, such as underage consumption, open container, or public intoxication; and,

Whereas, 36 states have implemented medical amnesty policies into their legal code; and,

Whereas, the state of Minnesota’s current legislation, H.F. 946, affords legal amnesty to those in need of an alcohol-related medical emergency and extends amnesty to those reporting other safety concerns, such as sexual assault and domestic violence; and,

Whereas, the state of Wisconsin’s current legislation, Assembly Bill 808, prohibits the issuance of alcohol-related citations to individuals who were victims of sexual assault and other crimes and to the individuals who report such crimes, and prohibits educational institutions from issuing any sort of academic reprimand including, but not limited to: suspension, expulsion, removal from courses, and eviction; and,

Whereas, the State of Iowa is one of fourteen states that lacks a medical amnesty policy in its legal code; and,
Whereas, the spirit of medical amnesty has legislative precedent in Iowa, established by the state of Iowa’s current legislation, S.F. 2218, which allows for the administration of an opioid antagonist to those experiencing an opioid overdose, reducing barriers to saving lives; and,

Whereas, currently, in situations that would be applicable to medical amnesty policies, the decision to issue a citation is left up to officer discretion, which prevents a guarantee of protection from prosecution and/or citation for persons who experience a medical emergency caused by the illegal possession or consumption of alcohol; and,

Whereas, the University of Iowa and the University of Northern Iowa each have their own policies that equate to medical amnesty, respectively the Responsible Action Protocol and the Good Samaritan Policy, which protect students who violate the student code from academic repercussions, including but not limited to suspensions, expulsions, course drops, and evictions; and,

Whereas, the Responsible Action Protocol and the Good Samaritan Policy only protect from academic repercussions from the institution, not legal repercussions from state and local authorities; and,

Whereas, jointly, the Iowa State University Student Government and the University of Iowa Student Government, make the following recommendations to the State Legislature for immediate adoption as found in the “Proposal for Medical Amnesty in the State of Iowa”:

1. Underage individuals who seek emergency medical attention for themselves or on behalf of another individual will not be charged with violations and reprimands found in Iowa Code 123.46, Iowa Code 123.47, subsection 3 and 4, and Iowa Code 805.8C, subsection 7.

2. Underage individuals who seek emergency safety protection from crimes including but not limited to rape, sexual assault, and domestic violence, for themselves or on behalf of another individual will not be charged with violations and reprimands found in Iowa Code 123.46, Iowa Code 123.47, subsection 3 and 4, and Iowa Code 805.8C, subsection 7.

3. Prohibit certain disciplinary sanctions, including but not limited to suspension, expulsion, and eviction, from educational institutions if the underage individual is a student.

4. These protections will apply only to the first (1st) individual who requests emergency services and to the person for whom emergency services are being requested.

5. For an individual to receive these protections they must:
a. Communicate the emergency to an authority and, in the event the individual is calling on behalf of another, remain with the individual until the appropriate care can be provided. 

b. Cooperate with all emergency personnel with the provision of emergency services

c. Should any underage party demonstrate non-compliance with any of these instructions, the above protections shall be rendered moot; and,

Whereas, unintentional alcohol related accidents are among the leading causes of death for individuals between the ages of 18-24 in the United States; and,

Whereas, medical amnesty policies have demonstrated the ability to mitigate the threat of unintentional alcohol related accidents, as found in a 2006 Cornell University study, which determined that:

- There was a 7.5% decrease in alcohol-related emergency room cases.
- There was a 22% increase in calls for medical assistance.
- There was a 61% decrease in students who reported not calling emergency services because they feared repercussions.

Whereas, medical amnesty is a non-partisan policy that has received support in every jurisdiction. Now, therefore, be it

Resolved, The UISG supports and encourages the Iowa State Legislature to adopt policies that remove obstacles that may lead to hesitation and also protect from prosecution persons who experience a medical emergency caused by the illegal possession or consumption of alcohol.

Resolved, this resolution will be sent to Governor Terry Branstad, distinguished members of the Iowa State Legislature House and Senate, and all University of Iowa Government Relations persons.

_______________________________, Speaker of the Senate
Titus Hou

I hereby attest and certify that this resolution originated from the 2016-2017 Student Senate Session.

_______________________________, Secretary
Sheng Hao Lu

APPROVED on _____________, 2016
Rachel Zuckerman