

CHAPTER 1064**WORKERS' COMPENSATION MEDIATION — CONFIDENTIALITY***S.F. 2244*

AN ACT providing for the confidentiality of certain information provided in workers' compensation mediation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 22.7, Code Supplement 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 31. Memoranda, work products, and case files of a mediator and all other confidential communications in the possession of a mediator, as provided in chapter 86. Information in these confidential communications is subject to disclosure only as provided in section 86.44, notwithstanding any other contrary provision of this chapter.

Sec. 2. **NEW SECTION. 86.44 CONFIDENTIALITY.**

All verbal or written information relating to the subject matter of an agreement and transmitted between any party to a dispute and a mediator to resolve a dispute pursuant to this chapter or chapter 85, 85A, or 85B, during any stage of a mediation or a dispute resolution process conducted by a mediator as provided in this section, whether reflected in notes, memoranda, or other work products in the case files, is a confidential communication except as otherwise expressly provided in this chapter. Mediators involved in a mediation or a dispute resolution process shall not be examined in any judicial or administrative proceeding regarding confidential communications and are not subject to judicial or administrative process requiring the disclosure of confidential communications.

For purposes of this section, "mediator" means a chief deputy industrial commissioner or deputy industrial commissioner acting in the capacity to resolve a dispute pursuant to this chapter or chapter 85, 85A, or 85B, or an employee of the division of industrial services involved during any stage of a process to resolve a dispute.

Approved April 13, 1994

CHAPTER 1065**WORKERS' COMPENSATION — MISCELLANEOUS PROVISIONS***S.F. 2245*

AN ACT relating to workers' compensation by limiting debt collection of certain health care charges, by providing wage replacement for certain injured workers receiving treatment, by modifying the minimum weekly benefit amount for death, permanent partial disability, or a total disability, by providing for payment of temporary partial disability benefits in certain situations, and by providing an employer credit for the overpayment of certain benefits to employees.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 85.27, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. While a contested case proceeding for determination of liability for workers' compensation benefits is pending before the industrial commissioner relating to an injury alleged to have given rise to treatment, no debt collection, as defined by section 537.7102, shall be undertaken against an employee or the employee's dependents for the collection of charges for that treatment rendered an employee by any health service