

**PUBLIC HEALTH DEPARTMENT[641]**

**Adopted and Filed**

**Rulemaking related to state mortality review committee**

The Department of Health and Human services hereby rescinds Chapter 90, “Iowa Child Death Review Team,” and adopts a new Chapter 90, “State Mortality Review Committee,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code sections 135.43, 135.112 and 144.3.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, 2024 Iowa Acts, Senate File 2385.

*Purpose and Summary*

2024 Iowa Acts, Senate File 2385, created the State Mortality Review Committee. The purpose of the State Mortality Review Committee is to aid in the reduction of preventable deaths by promoting communication, discussion, cooperation, and the exchange of ideas and information, and by making recommendations for changes in policy and practice to improve community interventions, and to determine whether the Department and others involved responded appropriately. This chapter is replacing the chapters previously titled “Iowa Child Death Review Team,” “Iowa Domestic Abuse Death Review Team,” and “Maternal Mortality Review Committee.”

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on December 25, 2024, as **ARC 8569C**. A public hearing was held on the following date(s):

- January 16, 2025
- January 21, 2025

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

*Adoption of Rulemaking*

This rulemaking was adopted by the Department on January 31, 2025.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 6.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rulemaking will become effective on April 1, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 641—Chapter 90 and adopt the following **new** chapter in lieu thereof:

CHAPTER 90  
STATE MORTALITY REVIEW COMMITTEE

**641—90.1(135) Definitions.**

*“Child abuse assessment”* means an assessment performed in accordance with Iowa Code section 232.71B.

*“Child fatality”* means the death of a child under the age of 18.

*“Committee”* means the state mortality review committee.

*“Maternal death”* means any death occurring while a woman is pregnant or within one year of the end of the pregnancy from any cause. This includes deaths resulting from abortions, ectopic pregnancies and all deaths during pregnancy, childbirth, puerperium or deaths from complications of childbirth.

*“Multidisciplinary team”* means the group of individuals as defined in Iowa Code section 235A.13.

**641—90.2(135) Agency.** The state mortality review committee is established in the department. The department will provide staffing and administrative support to the committee.

**641—90.3(135) Membership.** Committee membership will be determined pursuant to Iowa Code section 135.43(2).

**641—90.4(135) Officers.** The committee will elect a chairperson, a vice chairperson, and other officers as deemed necessary by the committee. Officers will be elected at the first meeting of each fiscal year. Vacancy in the office of the chairperson will be filled by elevation of the vice chairperson. Vacancy in the office of the vice chairperson will be filled by election at the next meeting after the vacancy occurs. The chairperson will preside at all meetings of the committee. If the chairperson is absent or unable to act, the vice chairperson will perform the duties of the chairperson. When so acting, the vice chairperson will have all the powers of and be subject to all restrictions upon the chairperson. The vice chairperson will also perform such other duties as may be assigned by the chairperson.

**641—90.5(135) Subcommittees.**

**90.5(1)** The committee may establish temporary or permanent subcommittees pursuant to Iowa Code sections 135.40, 135.43 and 135.110.

**90.5(2)** The committee shall establish appointment provisions, membership terms, operating guidelines, and other operational requirements for any subcommittees established.

**641—90.6(135) Liaisons.** Liaisons will be designated pursuant to Iowa Code section 135.43(5).

**641—90.7(135) Meetings.** The committee will meet pursuant to Iowa Code section 135.110(3).

**641—90.8(135) Duties and responsibilities.**

**90.8(1)** The committee will be responsible for the duties established in Iowa Code sections 135.43(3) and 135.110(1).

**90.8(2)** The committee will conduct comprehensive, multidisciplinary reviews of maternal deaths or other deaths in Iowa to residents to identify factors associated with the deaths and make recommendations for system changes to prevent future deaths.

The department annually shall systematically ascertain maternal deaths using birth, fetal death and death vital records.

**641—90.9(135) Disclosure of information.**

**90.9(1)** The committee and subcommittees shall have access to patient records and other confidential information. In preparation for review of an individual death by the committee or subcommittee, the chairperson of the committee or the chairperson's designee is authorized to gather all information pertinent to the review. A person in possession or control of medical, investigative or other information pertaining to a child death, child abuse, domestic abuse, maternal death, or other death review with an established subcommittee shall allow the inspection and reproduction of the information by the department, upon the request of the department, to be used only in the administration and for the duties of the committee. A person does not incur legal liability by reason of releasing information to the department as mandated under and in compliance with this rule.

The committee and subcommittees will maintain the confidentiality of all information and records used in the review, including disclosure of information that is confidential under Iowa Code chapter 22 or any other provisions of state law.

**90.9(2)** In the event of a maternal death, the certifying physician shall indicate that circumstance on the certificate of death.

**90.9(3)** Any person, hospital, sanatorium, or other organization shall make available to the department for inspection records, reports, statements, interviews or other data necessary to fulfill the duties of the committee or subcommittees.

**641—90.10(135) Immunity and liability.** Committee and subcommittee members are immune from any liability, civil or criminal, as established in Iowa Code section 135.43(8). A person who releases or discloses confidential data, records, or any other type of information in violation of this chapter is guilty of a serious misdemeanor.

These rules are intended to implement 2024 Iowa Acts, Senate File 2385, and Iowa Code sections 135.40, 135.43, 135.108, 135.110, and 135.111.

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