

237.21 Confidentiality of records — penalty.

1. The information and records of or provided to a local board, state board, or court appointed special advocate regarding a child who is receiving foster care or who is under the court's jurisdiction and the child's family when relating to services provided or the foster care placement are not public records pursuant to [chapter 22](#). The state board and local boards, with respect to hearings involving specific children receiving foster care and the child's family, are not subject to [chapter 21](#).

2. Information and records relating to a child receiving foster care and to the child's family shall be provided to a local board or the state board by the department or child-care agency receiving purchase-of-service funds from the department upon request by either board. A court having jurisdiction of a child receiving foster care shall release the information and records the court deems necessary to determine the needs of the child, if the information and records are not obtainable elsewhere, to a local board or the state board upon request by either board. If confidential information and records are distributed to individual members in advance of a meeting of the state board or a local board, the information and records shall be clearly identified as confidential and the members shall take appropriate steps to prevent unauthorized disclosure.

3. A court appointed special advocate may attend family team decision-making meetings or youth transition decision-making meetings upon request by the family or child and disclose case-related observations and recommendations relating to a child or a child's family while attending the meetings.

4. A court appointed special advocate may disclose case-related observations and recommendations to the agency assigned by the court to supervise the case, to the county attorney, or to the child's legal representative or guardian ad litem.

5. Members of the state board and local boards, court appointed special advocates, and the employees of the department and the department of inspections and appeals are subject to standards of confidentiality pursuant to [sections 217.30, 228.6, subsection 1, sections 235A.15, 600.16, and 600.16A](#). Members of the state and local boards, court appointed special advocates, and employees of the department and the department of inspections and appeals who disclose information or records of the board or department, other than as provided in [subsections 2, 3, and 4](#), [sections 232.89 and 232.126](#), and [section 237.20, subsection 2](#), are guilty of a simple misdemeanor.

84 Acts, ch 1279, §32; 87 Acts, ch 117, §2; 88 Acts, ch 1233, §16, 17; 89 Acts, ch 64, §4; 92 Acts, ch 1196, §1; 2005 Acts, ch 55, §3; 2015 Acts, ch 21, §1 – 3

Referred to in [§135H.13](#)

Subsection 1 amended

NEW subsections 3 and 4 and former subsection 3 amended and renumbered as 5