

**233.5 Confidentiality protections.**

1. *a.* In addition to any other privacy protection established in law, a record that is developed, acquired, or held in connection with an individual's good faith effort to voluntarily release a newborn infant in accordance with [this chapter](#) and any identifying information concerning the individual shall be kept confidential. Such record shall not be inspected or the contents disclosed except as provided in [this section](#).

*b.* Any transcripts or recording of a 911 service telephone call that is made for the purpose of an individual's good faith effort to voluntarily release custody of a newborn infant in accordance with [this chapter](#) and any identifying information concerning the individual shall be kept confidential. Such transcripts or recording of a 911 service telephone call shall not be inspected or the contents disclosed except as provided in this section.

2. A record described in [subsection 1](#) may be inspected and the contents disclosed without court order to the following:

- a.* The court and professional court staff, including juvenile court officers.
- b.* The newborn infant and the newborn infant's counsel.
- c.* The newborn infant's parent, guardian, custodian, and those persons' counsel.
- d.* The newborn infant's court appointed special advocate and guardian ad litem.
- e.* The county attorney and the county attorney's assistants.
- f.* An agency, association, facility, or institution which has custody of the newborn infant, or is legally responsible for the care, treatment, or supervision of the newborn infant.
- g.* The newborn infant's foster parent or an individual providing preadoptive care to the newborn infant.

3. Pursuant to court order a record described in [subsection 1](#) may be inspected by and the contents may be disclosed to any of the following:

*a.* A person conducting bona fide research for research purposes under whatever conditions the court may deem proper, provided that no personal identifying data shall be disclosed to such a person.

*b.* Persons who have a direct interest in a proceeding or in the work of the court.

4. Any person who knowingly discloses, receives, or makes use or permits the use of information derived directly or indirectly from such a record or discloses identifying information concerning such individual, except as provided by [this section](#), commits a serious misdemeanor.

[2001 Acts, ch 67, §5, 13](#); [2018 Acts, ch 1050, §4](#)

Subsection 1 amended