

CHAPTER 103  
CONFIDENTIALITY OF RECORDS  
[Prior to 7/29/87, Health Department[470] Ch 103]

**641—103.1(144) Disclosure of data.**

**103.1(1)** The state registrar or county registrar shall permit the inspection of a record or issue a certified copy of a record or part thereof only when satisfied that the applicant has a direct and tangible interest in the content of the record and that the information contained therein is necessary for the determination of a personal or property right.

*a.* A request from the registrant, a member of the immediate family, the guardian, or their respective legal representatives shall be considered to be a direct and tangible interest.

*b.* For the purpose of securing information or obtaining certified copies of vital records, the term legal representative shall include an attorney, physician, funeral director, insurance company, or an authorized agency acting in behalf of the registrant or the registrant's family.

*c.* For the purpose of securing and obtaining data from vital records, requests from natural parents of adopted children, in the absence of a court order, and requests from commercial firms or agencies requesting listings of names and addresses shall not be considered to be direct and tangible interest.

**103.1(2)** The state registrar may permit use of data of vital statistics records for research purposes subject to conditions the state registrar may impose to ensure that the use of the data is limited to such research purposes.

**103.1(3)** The state registrar or county registrar may disclose data from vital statistics records to federal, state, county or municipal agencies of government which request such data in the conduct of their official duties, subject to conditions the state registrar may impose to ensure that the use of the data is limited to official purposes.

**103.1(4)** Information in vital records indicating a birth occurred out of wedlock shall be released by the state registrar to the registrant, to the legal parent(s), to the legal grandparents, to the legal guardian, to their respective legal representatives, to an authorized agency acting on behalf of the registrant or upon order of a district court. Information may also be released to a legal descendant, or the descendant's authorized agent, who has direct and tangible interest and satisfactorily substantiates a direct lineal consanguinity.

**103.1(5)** Whenever it shall be deemed necessary to establish an applicant's right to information from vital statistics records, the state registrar or county registrar may require written application, identification of the applicant, or a sworn affidavit.

**103.1(6)** No data shall be furnished from records for research purposes until the state registrar has prepared in writing the conditions under which the records may be used and received an agreement signed by a responsible agent of the research organization agreeing to meet with and conform to such conditions.

**103.1(7)** The state registrar or the registrar's designee shall have the right to appoint volunteers to assist with vital records. All volunteers utilized for the purging project for vital records shall be responsible to, and under the direction of, the state registrar or designees. Volunteers will be screened by the state registrar or the registrar's designee prior to participation. This purging shall be done in a secure place maintained to ensure the confidentiality of the vital records in question.

All volunteers will be required to sign an oath swearing to abide by all appropriate statutes and rules applicable to nondisclosure of confidential information contained in accessed vital records. The volunteers' obligation of confidentiality is to be clearly spelled out in the agreement as well as all penalties which the volunteers may be subjected to if violations occur.

All volunteers serve without compensation.

These rules are intended to implement Iowa Code section 144.3.

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