

**641—138.7(147A) Confidentiality.**

**138.7(1)** The data collected by and furnished to the department pursuant to Iowa Code section 147A.26 are confidential records of the condition, diagnosis, care, or treatment of patients or former patients, including outpatients, and shall not be public record under Iowa Code chapter 22. The confidentiality of patients is to be protected, and the laws of this state shall apply with regard to patient confidentiality.

**138.7(2)** Proceedings, records, and reports reviewed or developed pursuant to Iowa Code section 147A.24 constitute peer review records under Iowa Code section 147.135 and are not subject to discovery by subpoena or admissible as evidence. All information and documents received from a hospital or emergency care facility under Iowa Code chapter 147A shall be confidential pursuant to Iowa Code section 272C.6(4).

**138.7(3)** TSAC or subcommittees of TSAC may enter into closed session proceeding pursuant to Iowa Code section 21.5.

**138.7(4)** All council and subcommittee members shall sign a confidentiality agreement not to divulge or discuss information obtained during a TSAC or subcommittee closed session proceeding. The signed confidentiality statements shall be kept on file at the department.

[ARC 2566C, IAB 6/8/16, effective 7/13/16]