

191—2.6(17A,22) Requests for confidential treatment. The division may treat a record as a confidential record and withhold it from inspection or refuse to disclose that record to members of the public only to the extent that the division is authorized by Iowa Code section 22.7, another applicable provision of law, or a court order.

2.6(1) Request. A person may request that all or a portion of a record be confidential. The request for confidential treatment must be submitted in writing to the division and:

- a. Identify the information for which confidential treatment is sought.
- b. Cite the legal and factual basis that justifies confidential treatment.
- c. Identify the name, address, and telephone number of the person authorized to respond to any inquiry or action of the custodian concerning the request.
- d. Specify the precise period of time for which the confidential treatment is requested should the request be only for a limited time period.

2.6(2) Additional information. The division may request additional factual information from the person to justify treatment of the record as a confidential record.

2.6(3) Decision. The division must notify the requester in writing of the granting or denial of the request and, if the request is denied, the reasoning for the denial.

2.6(4) Request denied. If the request for confidential treatment of a record is denied, the requester may apply to the commissioner for reconsideration of the request. However, the record shall not be withheld from public inspection for any period of time if the division determines that the requester had no reasonable grounds to justify the treatment of that record as a confidential record.

2.6(5) Failure to request. Failure of a person to request confidential record treatment for a record does not preclude the division from treating it as a confidential record. However, if a person who has submitted information to the division does not request that it be withheld from public inspection, the division may proceed as if that person has no objection to its disclosure to members of the public.

[ARC 4780C, IAB 11/20/19, effective 12/25/19]