

March 30, 1967
Passed on File
Public Health and Welfare 4-4 Pass 4-20

By ELY

Passed Senate, Date 6-6-67 Passed House, Date 7-1-67
Vote: Ayes 48 Nays 0 Vote: Ayes 63 Nays 46

Approved _____
*Passed Senate as amended by House
7-1-67
49-2*

A BILL FOR

An Act establishing an interagency case information service and authorizing public and private agencies to participate therein.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. The purpose of this Act is to permit the state
2 of Iowa and local governmental jurisdictions in the state to
3 make efficient use and exchange of information concerning per-
4 sons believed to be mentally handicapped among the state and
5 local governments, their departments and agencies, and with
6 other public or private agencies, where the use or exchange of
7 the information is for the purpose of assisting any of the agen-
8 cies in providing care, evaluation, services, assistance, ed-
9 ucation, or habilitation to such persons.

1 Sec. 2. When used in this Act, unless the context otherwise
2 requires:

3 1. "Service" means the interagency case information service.

4 2. "Public agency" means any agency, department, board, com-
5 mission, or division of the state of Iowa or the United States,
6 any political subdivision of or school board in the state of
7 Iowa, any state of the United States, and the District of
8 Columbia.

9 3. "Private agency" means any individual and any nonprofit
10 or business organization authorized under the laws of Iowa.

11 4. "Board" means board of control of state institutions.

1 Sec. 3. The board of control of state institutions is hereby
2 designated as the administrative agency to provide for a central
3 data control and exchange agency known as the interagency case

4 information service.

1 Sec. 4. The service shall receive from and make available
2 to the following state agencies case information on persons
3 believed to be mentally handicapped: the state department of
4 health, the state department of public instruction, the state
5 department of social welfare, the state board of regents, and
6 the board of control.

1 Sec. 5. The board shall:

2 1. Administer and enforce the provisions of this Act.

3 2. Be the official agency to join or cooperate with the
4 government of the United States or any state of the United
5 States and the District of Columbia through their appropriate
6 agencies or departments in carrying out the provisions of this
7 Act.

8 3. Apply for and receive funds, appropriations, moneys,
9 grants, gifts, or services of any kind from the United States
10 or any agency thereof, as well as this state and any person or
11 private agency for the purpose of carrying out the provisions
12 of this Act and the services hereunder.

13 4. Make such reports and budget estimates to the governor
14 and to the general assembly as are necessary to obtain the ap-
15 propriation of state funds for the service.

16 5. Cooperate with the other state departments and public
17 and private agencies as authorized by this Act in obtaining,
18 exchanging, and disseminating case information.

19 6. Employ personnel for the administration of the service
20 and contract with other public or private agencies to carry
21 out the services.

1 Sec. 6. The state agencies designated in section four (4)
2 of this Act may receive from and disseminate to other public
3 agencies or private agencies such information as is necessary
4 or proper for the purpose of providing evaluation services,
5 treatment services, education, support or habilitation services
6 to the mentally handicapped person. The enumerated state
7 agencies or their designated staff shall be authorized to make

8 determination of the proper receipt or dissemination of infor-
9 mation to other public or private agencies.

1 Sec. 7. Any law or departmental rule of the state of Iowa
2 which restricts or declares confidential information concerning
3 persons believed to be mentally handicapped shall not apply to
4 information exchanged through the service. Information
5 supplied under a restriction by the government of the United
6 States, its departments or agencies, or by other state
7 government, its departments and agencies, shall be processed
8 in compliance with such restrictions. Any case information
9 restricted by any order of court shall be processed in
10 compliance with the order.

1 Sec. 8. For purposes of research and study, public or
2 private agencies may receive from the service comprehensive
3 statistical information which may be disseminated to the
4 public. Such information shall not use names of individual
5 persons nor be so specific as to make possible the identification
6 of individual persons.

1 Sec. 9. Any person or any public or private agency or
2 employee thereof who participates in good faith in the
3 collection, exchange, or dissemination of case information
4 for the purposes of this Act shall have immunity from any
5 liability, civil or criminal, which might be otherwise
6 imposed.

1 Sec. 10. Any person who willfully disseminates information
2 obtained through the service other than for the purposes of
3 this Act shall be guilty of a misdemeanor.

1 Sec. 11. Chapter two hundred eighteen (218), Code 1966,
2 is hereby amended by adding thereto the following new section:

3 "The board of control shall provide for and be the
4 administrative agency for the interagency case information
5 service. The board shall perform such duties and responsi-
6 bilities as required under the provisions of this Act."

1 Amend Senate File 685 as follows:
2 1. In section 1, strike lines 1 through 4 and insert
3 in lieu thereof the following:
4 "Section 1. The purpose of this Act is to permit
5 information concerning persons believed to be mentally
6 handicapped to be efficiently used by and exchanged among
7 the state and".
8 2. In section 7, insert the following before the
9 period in line 4: "for the purposes of this Act".

Filed - *adopted 6-6*
May 22, 1967

By STANLEY and ELY

1 Amend Senate File 685 as follows:
2 1. In section 8, line 1, strike the words "and study,"
3 and insert in lieu thereof the words ", study, and public
4 information,".
5 2. Strike section 10.

Filed - *adopted 6-6*
May 22, 1967

By STANLEY

1 Amend Senate File 685 as follows:
2 1. Amend section one (1) by striking lines one (1) through
3 nine (9), inclusive, and by inserting in lieu thereof the
4 following:
5 Section 1. "The purpose of this Act is to permit the
6 efficient use and exchange of information between the state
7 of Iowa and local governments within the state, their depart-
8 ments and agencies, and other public or private agencies, for
9 the purpose of assisting any of the agencies in providing
10 care, evaluation, services, assistance, education, habilitation,
11 or rehabilitation to persons believed to be mentally handi-
12 capped."

Filed - *withdrawn 6-6*
May 22, 1967

By ELY

1 Amend Senate File 685 by adding the following sections:
2 1. This Act shall operate retroactively and retro-
3 spectively, with full force and effect, to and from
4 July 1, 1967.
6 2. This Act, being deemed of immediate importance,
7 shall take effect after its passage, approval and
8 publication in the Cedar Rapids Gazette, a newspaper
9 published at Cedar Rapids, Iowa, and in The DeWitt
10 Observer, a newspaper published at DeWitt, Iowa.

Filed and adopted
July 1, 1967

HOUSE AMENDMENT

1 Amend Senate File 685 by adding the following sec-
2 tion thereto:
3 This Act, being deemed of immediate importance, shall be in
4 full force and effect from and after its passage and publication
5 in the Cedar Rapids Gazette, a newspaper published at
6 Cedar Rapids, Iowa and in The DeWitt Observer,
7 a newspaper published at DeWitt, Iowa.

Filed - *adopted 7-1*
July 1, 1967

LIPSKY of Linn.