

Amend to ...

Revised 3/88

FEB 16 1988

STATE GOVERNMENT

HOUSE FILE 2255
BY HAMMOND

Passed House, Date 2/16/88 (p. 154) Passed Senate, Date 3/29/88 (p. 1130)
Vote: Ayes 76 Nays 0 Vote: Ayes 47 Nays 1
Approved April 26, 1988

A BILL FOR

1 An Act relating to the confidentiality of records of clients of
2 advocacy services offered by the department of human rights.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2255

H-5301

- 1 Amend House File 2255 as follows:
- 2 1. Page 1, line 28, by inserting after the word
- 3 "seeking" the following: "or receiving".
- 4 2. Page 1, line 31, by inserting after the word
- 5 "seeking" the following: "or receiving".
- 6 3. Page 1, line 34, by inserting after the word
- 7 "seeking" the following: "or receiving".
- 8 4. Page 2, line 4, by striking the words "a
- 9 person".

H-5301 FILED MARCH 4, 1988 BY COMMITTEE ON STATE GOVERNMENT
Adopted 3/11 (p. 154)

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1 Section 1. NEW SECTION. 601K.6 CONFIDENTIALITY OF
2 INDIVIDUAL CLIENT ADVOCACY RECORDS.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "Advocacy services" means services in which a
6 department staff member writes or speaks in support of a
7 client or a client's cause or refers a person to another
8 service to help alleviate or solve a problem.

9 b. "Individual client advocacy records" means those files
10 or records which pertain to problems divulged by a client to
11 the department or any related papers or records which are
12 released to the department about a client for the purpose of
13 assisting the client.

14 2. Information pertaining to clients receiving advocacy
15 services shall be held confidential, including but not limited
16 to the following:

17 a. Names and addresses of clients receiving advocacy
18 services.

19 b. Information about a client reported on the initial
20 advocacy intake form and all documents, information, or other
21 material relating to the advocacy issues or to the client
22 which could identify the client, or divulge information about
23 the client.

24 c. Information concerning the social or economic
25 conditions or circumstances of particular clients who are
26 receiving or have received advocacy services.

27 d. Department or division evaluations of information about
28 a person seeking advocacy services.

29 e. Medical or psychiatric data, including diagnoses and
30 past histories of disease or disability, concerning a person
31 seeking advocacy services.

32 f. Legal data, including records which represent or
33 constitute the work product of an attorney, which are related
34 to a person seeking advocacy services.

35 3. Information described in subsection 2 shall not be

1 disclosed or used by any person or agency except for purposes
2 of administration of advocacy services, and shall not be
3 disclosed to or used by a person or agency outside the
4 department except upon consent of the client as a person
5 evidenced by a signed release.

6 4. This section does not restrict the disclosure or use of
7 information regarding the cost, purpose, number of clients
8 served or assisted, and results of an advocacy program
9 administered by the department, and other general and
10 statistical information, so long as the information does not
11 identify particular clients or persons provided with advocacy
12 services.

13 EXPLANATION

14 This bill provides that the records of persons who apply
15 for or receive advocacy services from the department of human
16 services shall be confidential. Records cannot be disclosed
17 to anyone outside the department without the person's consent
18 in the form of a written release. Information that does not
19 disclose the identity of an individual may be used in
20 preparation of departmental reports.

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See House File 2/15, D. House 5/23 (p. 987)

HOUSE FILE 2255
BY HAMMOND

(As Amended and Passed by the House March 11, 1988)

Passed House, Date 3/11/88 (p. 754) Passed Senate, Date 3/29/88 (p. 1130)
Vote: Ayes 90 Nays 0 Vote: Ayes 47 Nays 1
Approved April 26, 1988

A BILL FOR

1 An Act relating to the confidentiality of records of clients of
2 advocacy services offered by the department of human rights.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____
Deleted Language *

1 Section 1. NEW SECTION. 601K.6 CONFIDENTIALITY OF
2 INDIVIDUAL CLIENT ADVOCACY RECORDS.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "Advocacy services" means services in which a
6 department staff member writes or speaks in support of a
7 client or a client's cause or refers a person to another
8 service to help alleviate or solve a problem.

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24 c. Information concerning the social or economic
25 conditions or circumstances of particular clients who are
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28 a person seeking or receiving advocacy services.

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30 past histories of disease or disability, concerning a person
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32 f. Legal data, including records which represent or
33 constitute the work product of an attorney, which are related
34 to a person seeking or receiving advocacy services.

35 3. Information described in subsection 2 shall not be

1 disclosed or used by any person or agency except for purposes
2 of administration of advocacy services, and shall not be
3 disclosed to or used by a person or agency outside the
*4 department except upon consent of the client as evidenced by a
5 signed release.

6 4. This section does not restrict the disclosure or use of
7 information regarding the cost, purpose, number of clients
8 served or assisted, and results of an advocacy program
9 administered by the department, and other general and
10 statistical information, so long as the information does not
11 identify particular clients or persons provided with advocacy
12 services.

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HOUSE FILE 2255

AN ACT

RELATING TO THE CONFIDENTIALITY OF RECORDS OF CLIENTS OF
ADVOCACY SERVICES OFFERED BY THE DEPARTMENT OF HUMAN RIGHTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 601K.6 CONFIDENTIALITY OF
INDIVIDUAL CLIENT ADVOCACY RECORDS.

1. For purposes of this section, unless the context
otherwise requires:

a. "Advocacy services" means services in which a
department staff member writes or speaks in support of a
client or a client's cause or refers a person to another
service to help alleviate or solve a problem.

b. "Individual client advocacy records" means those files
or records which pertain to problems divulged by a client to
the department or any related papers or records which are

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assisting the client.

2. Information pertaining to clients receiving advocacy
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conditions or circumstances of particular clients who are
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3. Information described in subsection 2 shall not be
disclosed or used by any person or agency except for purposes
of administration of advocacy services, and shall not be
disclosed to or used by a person or agency outside the
department except upon consent of the client as evidenced by a
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4. This section does not restrict the disclosure or use of
information regarding the cost, purpose, number of clients
served or assisted, and results of an advocacy program

HF 2255

administered by the department, and other general and statistical information, so long as the information does not identify particular clients or persons provided with advocacy services.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2255, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 26, 1988

TERRY E. BRANSTAD
Governor