

See Judiciary 3/4/87 W. J. ... 4/1/87 (p 1034)

House File 378

JUDICIARY: Varn, Chair; Gentleman and Mann

FEB 21 1987

Place On Calendar

HOUSE FILE **378**

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

(Formerly House Study Bill 116)

Passed House, Date 3-4-87 (p 520) Passed Senate, Date 4-14-87 (p 1276)

Vote: Ayes 94 Nays 2 Vote: Ayes 49 Nays 0

Approved April 27, 1987 (p 1696)

A BILL FOR

1 An Act relating to the dissemination and redissemination of
2 criminal history data to the Iowa department of public health
3 for purposes of employment screening for juvenile substance
4 abuse treatment programs, and providing a penalty.

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

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HF 378

1 Section 1. Section 692.2, subsection 1, Code 1987, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. f. The Iowa department of public health
4 for the purposes of screening employees and applicants for
5 employment in substance abuse treatment programs which admit
6 juveniles and are licensed under chapter 125.

7 Sec. 2. Section 692.3, Code 1987, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 4. Notwithstanding subsection 1,
10 paragraph "a", the Iowa department of public health may
11 disseminate criminal history data obtained pursuant to
12 section 692.2, subsection 1, paragraph "f", to administrators
13 of facilities licensed under chapter 125 which admit
14 juveniles. Persons who receive criminal history data pursuant
15 to this subsection shall not use this information other than
16 for the purpose of screening employees and applicants for
17 employment in substance abuse programs which admit juveniles
18 and are licensed under chapter 125. A person who receives
19 criminal history data pursuant to this subsection and who uses
20 it for any other purpose or who communicates the information
21 to any other person other than for the purposes permitted by
22 this subsection is guilty of an aggravated misdemeanor.

23

EXPLANATION

24 This bill allows the dissemination of confidential criminal
25 history records to the Iowa department of health and the
26 subsequent dissemination of these records to administrators
27 of substance abuse treatment facilities which treat juveniles,
28 for the purpose of screening employees and applicants for
29 employment with these programs. This authority is parallel to
30 similar authority for the dissemination of criminal history
31 records to the department of human services and
32 dissemination to child care facilities licensed by that
33 department. Use of the criminal history records for anything
34 other than the stated purpose would be an aggravated
35 misdemeanor.

SENATE/HOUSE FILE _____
BY (PREFILED IOWA DEPARTMENT
OF PUBLIC HEALTH BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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1 An Act relating to the dissemination and redissemination of
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3 for purposes of employment screening for juvenile substance
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SUB COMMITTEE ASSIGNMENTS

CHAIR: *Loeber*

COMMITTEE: *Judiciary*
2/5/87

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HOUSE FILE 378

AN ACT

RELATING TO THE DISSEMINATION AND REDISSEMINATION OF CRIMINAL HISTORY DATA TO THE IOWA DEPARTMENT OF PUBLIC HEALTH FOR PURPOSES OF EMPLOYMENT SCREENING FOR JUVENILE SUBSTANCE ABUSE TREATMENT PROGRAMS, AND PROVIDING A PENALTY.

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

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NEW PARAGRAPH. f. The Iowa department of public health for the purposes of screening employees and applicants for employment in substance abuse treatment programs which admit juveniles and are licensed under chapter 125.

Sec. 2. Section 692.3, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Notwithstanding subsection 1, paragraph "a", the Iowa department of public health may disseminate criminal history data obtained pursuant to section 692.2, subsection 1, paragraph "f", to administrators of facilities licensed under chapter 125 which admit juveniles. Persons who receive criminal history data pursuant to this subsection shall not use this information other than for the purpose of screening employees and applicants for employment in substance abuse programs which admit juveniles and are licensed under chapter 125. A person who receives criminal history data pursuant to this subsection and who uses it for any other purpose or who communicates the information

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 378, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 27, 1987

TERRY E. BRANSTAD
Governor

HF 378