

JAN 30 1995

HUMAN RESOURCES

HOUSE FILE
BY MUNDIE

101

(COMPANION TO LSB 1645SS BY
HALVORSON)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act creating multidisciplinary social services teams and
2 providing a penalty.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

HF 101

1 Section 1. Section 217.9A, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. MULTIDISCIPLINARY SOCIAL SERVICES
4 TEAMS.

5 a. The commission shall adopt rules providing standards
6 for activities of multidisciplinary social services teams for
7 individuals to form and operate a multidisciplinary social
8 services team in accordance with this subsection. The
9 commission shall publicly disseminate the standards. A team
10 shall not operate unless the team has been authorized by the
11 commission. The commission shall withdraw the authorization
12 for good cause.

13 b. A multidisciplinary social services team is a group of
14 individuals who possess knowledge and skills relating to
15 assessment and remediation of social problems described in
16 this paragraph. A team may assess and act to remediate any of
17 the following situations:

18 (1) An individual or family's lack of necessary income or
19 resources to meet basic needs such as housing, nutrition, or
20 clothing.

21 (2) An individual or family's lack of health care coverage
22 to meet necessary medical needs.

23 (3) The presence of an intrafamily conflict or abuse which
24 affects an individual or family.

25 (4) Other social, economic, educational, medical, or
26 behavioral problems which affect an individual or family.

27 c. A member of a multidisciplinary social services team
28 shall be a professional practicing in medicine, nursing,
29 public health, substance abuse treatment, mental health
30 treatment, social work, child development, education, law,
31 juvenile justice, law enforcement, nutrition, or government.
32 For the purposes of this paragraph, "professional" means a
33 person engaged in a profession licensed or certified by the
34 state or engaged in working with persons who are in need of
35 social services in an employment classification identified in

1 administrative rules adopted by the commission.

2 d. A multidisciplinary social services team shall select a
3 chairperson and other officers as deemed necessary by the
4 members of the team. A multidisciplinary social services team
5 is not a governmental body as defined in section 21.2 and is
6 not subject to the provisions of chapter 21, relating to open
7 meetings. A member of a multidisciplinary social services
8 team shall be considered to be a state volunteer under section
9 669.24 for purposes of tort liability for activities performed
10 in accordance with this section.

11 e. (1) The members of a multidisciplinary social services
12 team are expressly authorized to orally disclose personally
13 identifying information to one another which is otherwise
14 required by law to be confidential. However, disclosure of
15 information shall be limited to information necessary for the
16 team to assess or remediate an individual social problem
17 listed in paragraph "b". Disclosure of confidential
18 information other than oral information between team members
19 under provisions of this subsection is expressly prohibited.

20 (2) A member of a multidisciplinary social services team
21 shall not use confidential information obtained from another
22 team member except in the best interests of the subject of the
23 confidential information and shall not disclose such
24 information to another person except as otherwise authorized
25 by law. A member of a multidisciplinary social services team
26 who willfully uses or discloses confidential information in
27 violation of this paragraph commits a serious misdemeanor.
28 Notwithstanding section 903.1, the penalty for a person
29 convicted under this paragraph is a fine of not more than five
30 hundred dollars in the case of a first offense and not more
31 than five thousand dollars in the case of each subsequent
32 offense.

33

EXPLANATION

34 This bill creates multidisciplinary social services teams
35 under authority of the commission on children, youth, and

1 families of the department of human services. The bill
2 provides for teams of qualified individuals to be authorized
3 by the commission, in accordance with rules adopted by the
4 commission, to assess and act to remediate various social
5 problems which may affect an individual or family.

6 The members of a team are required to be individuals who
7 are qualified in a profession subject to licensure or
8 registration by the state or engaged in a position working
9 with persons who are in need of social services which is
10 identified in administrative rule. A team is required to
11 select a chairperson and other officers as deemed necessary by
12 the team. The bill provides that a team is not a governmental
13 body subject to Iowa's open meetings law. A member of a team
14 is considered to be a state volunteer for purposes of tort
15 liability for their activities with a team.

16 Members of a team are expressly authorized to orally
17 disclose confidential information to one another as necessary
18 to assess or remediate an individual or family social problem.
19 However, further disclosure is expressly prohibited and is
20 subject to a serious misdemeanor penalty. The penalty
21 provisions are a fine of up to \$500 for a first offense and up
22 to \$5,000 for a subsequent offense.

23
24
25
26
27
28
29
30
31
32
33
34
35