

FEB 26 1996
HUMAN RESOURCES

HOUSE FILE 2334
BY MUNDIE

(COMPANION TO LSB 4084SS BY
HALVORSON)

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

A BILL FOR

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

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

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HF 2334

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

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

5 a. The commission, in consultation with the
6 confidentiality task force established by the department
7 pursuant to 1995 Iowa Acts, chapter 205, section 10,
8 subsection 18, shall adopt rules providing standards for the
9 formation, operation, and activities of multidisciplinary
10 community services teams in accordance with this subsection.
11 The commission shall publicly disseminate the standards. A
12 team shall not operate under this subsection unless the team
13 has been authorized by the commission. The commission shall
14 withdraw the authorization for good cause. The rules adopted
15 by the commission shall include but are not limited to all of
16 the following:

17 (1) Policy relating to release of information under this
18 subsection.

19 (2) Appeal policy and procedures, for a subject of
20 confidential information to question an action of a team.

21 (3) Education requirements for team members.

22 (4) Guidelines for team meeting procedures and team
23 structure.

24 (5) Provisions for the commission to withdraw a team's
25 operational authorization for good cause.

26 (6) Procedures to enable a local board of health, or
27 comparable entity for any county without a local board of
28 health, to monitor the activities of a multidisciplinary team
29 within a respective county, as a means of monitoring
30 compliance with the commission's rules regarding activities of
31 the team. Monitoring by a local board of health or comparable
32 entity shall be in addition to any monitoring provisions
33 adopted by the commission.

34 (7) Provisions to prevent duplication between the
35 activities of a multidisciplinary community services team and

1 a multidisciplinary team for child abuse under section
2 235A.13, dependent adult abuse under section 235B.6, area
3 education agency activities under section 294A.14, or child
4 victim services under section 910A.16.

5 b. A multidisciplinary community services team is a group
6 of individuals who possess knowledge and skills relating to
7 assessment and remediation of social problems described in
8 this paragraph. A team may assess and act to remediate any of
9 the following situations:

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

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

15 (3) The presence of a conflict or abuse which affects an
16 individual or family.

17 (4) Other social, economic, educational, medical, or
18 behavioral problems which pose a risk to the health or safety
19 of an individual or family.

20 c. A member of a multidisciplinary community services team
21 may include but is not limited to a professional practicing in
22 medicine, nursing, public health, substance abuse treatment,
23 mental health treatment, social work, human development,
24 education, law, juvenile justice, law enforcement, or a person
25 who is engaged in working with persons who are in need of
26 social services in an employment classification identified in
27 rules adopted by the commission. For the purposes of this
28 paragraph, "professional" means a person engaged in a
29 profession licensed, registered, or certified by the state. A
30 team shall also include an advocate for persons receiving
31 services.

32 d. A multidisciplinary community services team shall
33 select a chairperson and other officers as deemed necessary by
34 the members of the team. A multidisciplinary community
35 services team is not a governmental body as defined in section

1 21.2 and is not subject to the provisions of chapter 21,
2 relating to open meetings. Notwithstanding chapter 22, the
3 confidentiality of information in the possession of a
4 multidisciplinary team which is required by law to be
5 confidential shall be maintained except as specifically
6 provided by this subsection. A member of a multidisciplinary
7 community services team shall be considered to be a state
8 volunteer under section 669.24 for purposes of tort liability
9 for activities performed in accordance with this subsection.

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

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

33 EXPLANATION

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

1 and 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. The rules
6 are to include policies for information releases, appeals by
7 subjects of confidential information, team member education
8 requirements, team meeting and team structure guidelines, a
9 means to withdraw a team's authorization for good cause, a
10 means for local boards of health to assist in monitoring local
11 teams' compliance with the commission's rules, and provisions
12 to prevent duplication between a multidisciplinary community
13 services team and other multidisciplinary teams authorized by
14 law.

15 The members of a team are required to be individuals who
16 are qualified in a profession subject to licensure,
17 certification, or registration by the state or engaged in a
18 position working with persons who are in need of social
19 services, as identified in rules. A team is required to
20 select a chairperson and other officers as deemed necessary by
21 the team. The bill provides that a team is not a governmental
22 body subject to Iowa's open meetings law. A member of a team
23 is considered to be a state volunteer for purposes of tort
24 liability for the member's activities with a team.

25 Members of a team are expressly authorized to orally
26 disclose confidential information to one another as necessary
27 to assess or remediate an individual or family social problem.
28 However, further disclosure is expressly prohibited and
29 constitutes a serious misdemeanor, subject to a fine of up to
30 \$500 for a first offense and up to \$5,000 for a subsequent
31 offense.

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