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SENATE FILE 2294  
BY HALVORSON

(COMPANION TO LSB 4084HH BY  
MUNDIE)

Passed Senate, (P. 885) Date 3/19/96 Passed House, (P. 1415) Date 4/8/96  
Vote: Ayes 50 Nays 0 Vote: Ayes 95 Nays 0  
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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S.F. 2294

RECEIVED

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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## SENATE FILE 2294

S-5413

1 Amend Senate File 2294 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 331.909

5 MULTIDISCIPLINARY COMMUNITY SERVICES TEAMS.

6 1. A county or multicounty consortium of agencies  
7 providing health, counseling, economic assistance, or  
8 therapeutic services may establish a multidisciplinary  
9 team for the more effective planning and delivery of  
10 services to an individual or family under the  
11 following conditions:

12 a. The team complies with federal regulations  
13 regarding confidentiality.

14 b. The agencies comprising the team have written  
15 confidentiality standards.

16 c. The agencies comprising the team enter into an  
17 annual interagency agreement to comply with  
18 confidentiality standards specified in the agreement.

19 d. An agency initiating a multidisciplinary team  
20 obtains a signed agreement from an individual  
21 authorizing the team to share information concerning  
22 the individual or the individual's family on a  
23 confidential basis.

24 2. The activities of a multidisciplinary community  
25 services team shall not duplicate the activities of a  
26 multidisciplinary team for child abuse under section  
27 235A.13, dependent adult abuse activities under  
28 section 235B.6, area education agency activities under  
29 section 294A.14, or child victim services provided  
30 under section 910A.16.

31 3. A multidisciplinary community services team  
32 shall select a chairperson and other officers as  
33 deemed necessary by the members of the team. A  
34 multidisciplinary community services team is not a  
35 governmental body as defined in section 21.2 and is  
36 not subject to the provisions of chapter 21, relating  
37 to open meetings. Notwithstanding chapter 22, the  
38 confidentiality of information in the possession of a  
39 multidisciplinary team which is required by law to be  
40 confidential shall be maintained except as  
41 specifically provided by this section.

42 4. The members of a multidisciplinary community  
43 services team are expressly authorized to orally  
44 disclose personally identifying information to one  
45 another which is otherwise required by law to be  
46 confidential. Disclosure of confidential information  
47 other than oral information between team members under  
48 provisions of this section is expressly prohibited.

49 5. A member of a multidisciplinary community  
50 services team shall not use confidential information

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1 obtained from another team member except in the best  
2 interests of the subject of the confidential  
3 information and shall not disclose such information to  
4 another person except as otherwise authorized by law.  
5 A member of a multidisciplinary community services  
6 team who willfully uses or discloses confidential  
7 information in violation of this section commits a  
8 serious misdemeanor. Notwithstanding section 903.1,  
9 the penalty for a person convicted pursuant to this  
10 subsection is a fine of not more than five hundred  
11 dollars in the case of a first offense and not more  
12 than five thousand dollars in the case of each  
13 subsequent offense."

By JOHNIE HAMMOND

S-5413 FILED MARCH 19, 1996

ADOPTED

(p.884)

H 3/20/96 Human Pass  
H-3/25/96 Do Pass

SENATE FILE 2294

BY HALVORSON

(COMPANION TO LSB 4084HH BY  
MUNDIE)

(AS AMENDED AND PASSED BY THE SENATE MARCH 19, 1996)

ALL New Language by the Senate

Passed Senate, (P. 1284) Date 4-9-96 Passed House, (P. 1415) Date 4/8/96  
Vote: Ayes 50 Nays 0 Vote: Ayes 95 Nays 0  
Approved 4/23

### 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:

### SENATE FILE 2294

H-5847

- 1 Amend Senate File 2294, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "assistance," the following: "education, law
- 5 enforcement,".

By MUNDIE of Webster

H-5847 FILED APRIL 3, 1996

*Adopted 4/8/96 (P. 1415)*

### HOUSE AMENDMENT TO SENATE FILE 2294

S-5687

- 1 Amend Senate File 2294, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "assistance," the following: "education, law
- 5 enforcement,".

*Senate Concurred 4/9/96* RECEIVED FROM THE HOUSE  
S-5687 FILED APRIL 8, 1996 (P. 1284)

S.F. 2294



1 Section 1. NEW SECTION. 331.909 MULTIDISCIPLINARY

2 COMMUNITY SERVICES TEAMS.

3 1. A county or multicounty consortium of agencies  
4 providing health, counseling, economic assistance, or  
5 therapeutic services may establish a multidisciplinary team  
6 for the more effective planning and delivery of services to an  
7 individual or family under the following conditions:

8 a. The team complies with federal regulations regarding  
9 confidentiality.

10 b. The agencies comprising the team have written  
11 confidentiality standards.

12 c. The agencies comprising the team enter into an annual  
13 interagency agreement to comply with confidentiality standards  
14 specified in the agreement.

15 d. An agency initiating a multidisciplinary team obtains a  
16 signed agreement from an individual authorizing the team to  
17 share information concerning the individual or the  
18 individual's family on a confidential basis.

19 2. The activities of a multidisciplinary community  
20 services team shall not duplicate the activities of a  
21 multidisciplinary team for child abuse under section 235A.13,  
22 dependent adult abuse activities under section 235B.6, area  
23 education agency activities under section 294A.14, or child  
24 victim services provided under section 910A.16.

25 3. A multidisciplinary community services team shall  
26 select a chairperson and other officers as deemed necessary by  
27 the members of the team. A multidisciplinary community  
28 services team is not a governmental body as defined in section  
29 21.2 and is not subject to the provisions of chapter 21,  
30 relating to open meetings. Notwithstanding chapter 22, the  
31 confidentiality of information in the possession of a  
32 multidisciplinary team which is required by law to be  
33 confidential shall be maintained except as specifically  
34 provided by this section.

35 4. The members of a multidisciplinary community services

1 team are expressly authorized to orally disclose personally  
2 identifying information to one another which is otherwise  
3 required by law to be confidential. Disclosure of  
4 confidential information other than oral information between  
5 team members under provisions of this section is expressly  
6 prohibited.

7     5. A member of a multidisciplinary community services team  
8 shall not use confidential information obtained from another  
9 team member except in the best interests of the subject of the  
10 confidential information and shall not disclose such  
11 information to another person except as otherwise authorized  
12 by law. A member of a multidisciplinary community services  
13 team who willfully uses or discloses confidential information  
14 in violation of this section commits a serious misdemeanor.  
15 Notwithstanding section 903.1, the penalty for a person  
16 convicted pursuant to this subsection is a fine of not more  
17 than five hundred dollars in the case of a first offense and  
18 not more than five thousand dollars in the case of each  
19 subsequent offense.

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SENATE FILE 2294

AN ACT

CREATING MULTIDISCIPLINARY COMMUNITY SERVICES TEAMS AND  
PROVIDING A PENALTY.

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

Section 1. NEW SECTION. 331.909 MULTIDISCIPLINARY  
COMMUNITY SERVICES TEAMS.

1. A county or multicounty consortium of agencies providing health, counseling, economic assistance, education, law enforcement, or therapeutic services may establish a multidisciplinary team for the more effective planning and delivery of services to an individual or family under the following conditions:

- a. The team complies with federal regulations regarding confidentiality.
- b. The agencies comprising the team have written confidentiality standards.
- c. The agencies comprising the team enter into an annual interagency agreement to comply with confidentiality standards specified in the agreement.

d. An agency initiating a multidisciplinary team obtains a signed agreement from an individual authorizing the team to share information concerning the individual or the individual's family on a confidential basis.

2. The activities of a multidisciplinary community services team shall not duplicate the activities of a multidisciplinary team for child abuse under section 235A.13, dependent adult abuse activities under section 235B.6, area education agency activities under section 294A.14, or child victim services provided under section 910A.16.

3. A multidisciplinary community services team shall select a chairperson and other officers as deemed necessary by the members of the team. A multidisciplinary community services team is not a governmental body as defined in section 21.2 and is not subject to the provisions of chapter 21, relating to open meetings. Notwithstanding chapter 22, the confidentiality of information in the possession of a multidisciplinary team which is required by law to be confidential shall be maintained except as specifically provided by this section.

4. The members of a multidisciplinary community services team are expressly authorized to orally disclose personally identifying information to one another which is otherwise required by law to be confidential. Disclosure of confidential information other than oral information between team members under provisions of this section is expressly prohibited.

5. A member of a multidisciplinary community services team shall not use confidential information obtained from another team member except in the best interests of the subject of the confidential information and shall not disclose such information to another person except as otherwise authorized by law. A member of a multidisciplinary community services team who willfully uses or discloses confidential information in violation of this section commits a serious misdemeanor.

Notwithstanding section 903.1, the penalty for a person convicted pursuant to this subsection is a fine of not more than five hundred dollars in the case of a first offense and not more than five thousand dollars in the case of each subsequent offense.

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LEONARD L. BOSWELL  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2294, Seventy-sixth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved 4/23, 1996

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TERRY E. BRANSTAD  
Governor