

Withdrawn
3/20/03

FEB 27 2003
HUMAN RESOURCES

HOUSE FILE 345
BY GASKILL

(COMPANION TO SF 181
BY SCHUERER)

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

A BILL FOR

1 An Act authorizing the department of human services to disclose
2 information regarding the presence of a perpetrator of certain
3 sexual offenses or sexual abuse in the client's home.

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

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HF 345

1 Section 1. Section 217.30, subsection 2, Code 2003, is
2 amended to read as follows:

3 2. a. Information described in subsection 1 shall not be
4 disclosed to or used by any person or agency except for
5 purposes of administration of the programs of services or
6 assistance, and shall not in any case, except as otherwise
7 provided in this subsection or subsection 4, paragraph "b", be
8 disclosed to or used by persons or agencies outside the
9 department unless they are subject to standards of
10 confidentiality comparable to those imposed on the department
11 by this division.

12 b. If the department has information described in
13 subsection 1 that a person living in the home of a client of
14 the department has committed a sexual offense, the department
15 may disclose that information to the adult persons living in
16 that home. For the purpose of this paragraph, "committed a
17 sexual offense" means the person is required to register with
18 the sex offender registry in accordance with chapter 692A, or
19 is listed in the child or dependent adult abuse registry as
20 having been found to have committed abuse that was sexual in
21 nature.

22 Sec. 2. Section 235A.15, Code 2003, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 10. The department may disclose child
25 abuse information to adult persons living in the home of a
26 client of the department, for purposes of providing
27 information in accordance with section 217.30, subsection 2,
28 paragraph "b", that a person living in that home has committed
29 a sexual offense.

30 Sec. 3. Section 235B.6, subsection 2, paragraph e, Code
31 2003, is amended by adding the following new subparagraph:

32 NEW SUBPARAGRAPH. (10) To adult persons living in the
33 home of a client of the department, for purposes of providing
34 information in accordance with section 217.30, subsection 2,
35 paragraph "b", that a person living in that home has committed

1 a sexual offense.

2 Sec. 4. Section 692A.13, Code 2003, is amended by adding
3 the following new subsection:

4 NEW SUBSECTION. 9. The department of human services may
5 disclose information to adult persons living in the home of a
6 client of the department of human services, for purposes of
7 providing information in accordance with section 217.30,
8 subsection 2, paragraph "b", that a person living in that home
9 has committed a sexual offense.

10 EXPLANATION

11 This bill authorizes the department of human services to
12 disclose information to a client regarding the presence of a
13 perpetrator of a sexual offense in the client's home.

14 The bill amends Code section 217.30, relating to
15 confidentiality of the department of human services' records,
16 to authorize the department to disclose information in those
17 records indicating that a person living in a client's home has
18 committed a sexual offense. "Committed a sexual offense" is
19 defined as meaning the person is required to register with the
20 sex offender registry in accordance with Code chapter 692A, or
21 the person is listed in the child or dependent adult abuse
22 registry as having been found to have committed abuse that was
23 sexual in nature. The department may provide the information
24 to the adult persons living in the client's home.

25 The department records under Code section 217.30 which may
26 contain information regarding a perpetrator of a sexual
27 offense include identifying information concerning individuals
28 receiving services or assistance from the department,
29 information about the types of services or amounts of
30 assistance provided, agency evaluations of information about a
31 particular individual, and medical or psychiatric data
32 concerning a particular individual.

33 Code sections 235A.15, relating to authorized access to the
34 child abuse registry, 235B.6, relating to authorized access to
35 the dependent adult abuse registry, and 692A.13, relating to

1 access to the sex offender registry, are amended to
2 specifically authorize the department to disclose the
3 information in those registries as required by the bill.

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