

House File 571 - Introduced

HOUSE FILE 571
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HF 213)

A BILL FOR

1 An Act relating to the confidentiality of information contained
2 in audio and video call recordings.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 22.7, subsection 2, Code 2017, is amended
2 to read as follows:

3 2. a. (1) Hospital records, medical records, and
4 professional counselor records of the condition, diagnosis,
5 care, or treatment of a patient or former patient or a
6 counselee or former counselee, including outpatient.

7 (2) For purposes of this paragraph, "medical records"
8 includes medical information contained in an audio or video
9 call recording, including but not limited to an audio or video
10 911 recording, relating to the injury or medical condition
11 of a person who is the subject of the call. Such medical
12 information may be shared with persons or entities that provide
13 emergency fire, law enforcement, ambulance, or medical services
14 that have a need for such medical information in order to
15 perform their duties. Such shared medical information shall
16 continue to maintain its confidential status and shall not
17 otherwise be shared by the receiving person or entity.

18 b. ~~However, confidential~~ Confidential communications
19 between a crime victim and the victim's counselor are not
20 subject to disclosure except as provided in [section 915.20A](#).

21 c. ~~However, the~~ The Iowa department of public health shall
22 adopt rules which provide for the sharing of information among
23 agencies and providers concerning the maternal and child
24 health program including but not limited to the statewide
25 child immunization information system, while maintaining an
26 individual's confidentiality.

27 Sec. 2. Section 22.7, Code 2017, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 5A. Information contained in audio or video
30 call recordings including transcripts of such call recordings
31 if the person making the call or the person who is the subject
32 of the call is a person under the age of eighteen. However, a
33 parent or guardian of a person under the age of eighteen who
34 is the subject of the call may request and receive information
35 contained in the audio or video call recording upon the

1 conclusion of any criminal investigation relating to the call.
2 For the purpose of this subsection, "call recordings" includes
3 but is not limited to 911 call recordings.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill relates to the confidentiality of information
8 contained in audio and video call recordings.

9 Under current law, medical records of a government body
10 under Code chapter 22 (Iowa's public records law) are required
11 to be kept confidential, unless otherwise ordered by a court,
12 by the lawful custodian of the records, or by another person
13 duly authorized to release such information. The bill provides
14 that the term "medical records" in this provision includes
15 medical information contained in an audio or video call
16 recording, including but not limited to an audio or video 911
17 call recording, relating to the injury or medical condition of
18 a person who is the subject of the call. However, such medical
19 information may be shared with persons or entities that provide
20 emergency fire, law enforcement, ambulance, or medical services
21 that have a need for the information in the performance of
22 their duties. Such shared medical information shall remain
23 confidential and shall not otherwise be shared by the receiving
24 person or entity.

25 The bill amends Code section 22.7, concerning the
26 confidentiality of public records, to provide that information
27 contained in audio or video call recordings including
28 transcripts of such call recordings is confidential if the
29 person making the call or the person who is the subject of the
30 call is a person under the age of 18. However, a parent or
31 guardian of a person under the age of 18 who is the subject
32 of the call may request and receive information contained in
33 the audio or video call recording upon the conclusion of any
34 criminal investigation relating to the call. The term "call
35 recordings" includes but is not limited to 911 call recordings.

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1 Code section 22.7 provides that certain public records shall be
2 kept confidential unless released by court order, by the lawful
3 custodian of the records, or by another person duly authorized
4 to release the records.