

House File 303 - Introduced

HOUSE FILE 303

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 64)

A BILL FOR

1 An Act relating to confidential communications between a peer
2 support group counselor and specified individuals.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 622.10, subsection 9, paragraphs a and b,
2 Code 2021, are amended to read as follows:

3 a. A peer support group counselor who obtains information
4 from an officer or a civilian employee of a law enforcement
5 agency or fire department by reason of the counselor's capacity
6 as a peer support group counselor shall not be allowed, in
7 giving testimony, to disclose any confidential communication
8 properly entrusted to the counselor by the officer or civilian
9 employee while receiving counseling.

10 b. The prohibition in this subsection does not apply
11 where the officer or civilian employee has consented to the
12 disclosure of the information specified in paragraph "a"
13 or where the peer support group counselor was an initial
14 responding officer, a witness, or a party to the incident which
15 prompted the delivery of peer support group counseling services
16 to the officer or civilian employee.

17 EXPLANATION

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

20 Code section 622.10(9) provides that a peer support group
21 counselor who obtains information from an officer by reason
22 of the counselor's capacity as a peer support group counselor
23 shall not be allowed, in giving testimony, to disclose any
24 confidential communications properly entrusted to the counselor
25 by the officer while receiving counseling. Code section
26 622.10(9) also creates exceptions in cases where the officer
27 has given the officer's consent to the disclosure of such
28 information and where the peer support group counselor was
29 an initial responding officer, a witness, or a party to the
30 incident which prompted the delivery of counseling services.

31 This bill adds the confidential communications between a
32 peer support group counselor and a civilian employee of a
33 law enforcement agency or fire department to the provisions
34 prohibiting disclosure of such communications and the
35 exceptions to the prohibition.