

86.44 Confidentiality.

1. All verbal or written information relating to the subject matter of an agreement and transmitted between any party to a dispute and a mediator to resolve a dispute pursuant to [this chapter](#) or [chapter 85, 85A, or 85B](#), during any stage of a mediation or a dispute resolution process conducted by a mediator as provided in [this section](#), whether reflected in notes, memoranda, or other work products in the case files, is a confidential communication except as otherwise expressly provided in [this chapter](#). Mediators involved in a mediation or a dispute resolution process shall not be examined in any judicial or administrative proceeding regarding confidential communications and are not subject to judicial or administrative process requiring the disclosure of confidential communications.

2. For purposes of [this section](#), “*mediator*” means a chief deputy workers’ compensation commissioner or deputy workers’ compensation commissioner acting in the capacity to resolve a dispute pursuant to [this chapter](#) or [chapter 85, 85A, or 85B](#), or an employee of the division of workers’ compensation involved during any stage of a process to resolve a dispute.

[94 Acts, ch 1064, §2; 98 Acts, ch 1061, §8, 11; 2019 Acts, ch 24, §104](#)

Referred to in [§22.7\(31\)](#)