

**If you are in a court hearing and find it necessary to consult your supervisor, you should read the following:**

“Excuse me your honor, I would like to request a recess to consult with my supervisor.”

**If you are in a court hearing and believe the county attorney is not representing DHS or providing DHS’s position to the court read the following:**

“Excuse me your honor, this hearing is progressing in a way that is contrary to my understanding of how things would proceed. I would like to request a recess and possibly a continuance to consult legal counsel.”

**If you are in a hearing and you are asked your personal opinion about something such as placement you should read the following:**

“It is my professional responsibility to present the Department’s position, not my personal opinion, which may or may not be the same.”

**If you are ordered by the court to give your personal opinion you should comply.**

**If you are in a court hearing, deposition or other meeting where you are asked confidential information which you are not authorized to disclose, you should read the following:**

“It is my belief that the requested information is protected from disclosure by Iowa Code Sections **217.30** and **235A.15** and that providing this information may be a violation of Iowa law.

If I provide the requested information without proper authorization, I may be liable for civil remedies or criminal penalties as provided in

Iowa Code Sections **217.30(8)**, **217.31**, **235A.20** and **235A.21**.

I will provide the requested information only if specifically directed to do so by the court.”

Legal References:

Iowa Code §§ 217.30 DHS services; 228.2 Mental Health Information; 235A.15 Child Abuse; 235B.6 Dependent Adult Abuse

45 CFR 164.500 et seq (HIPAA – health information) 42 CFR 431.233 Medicaid

**Requests for AG consult should be made via the DHS Help Desk.  
servicehelp@dhs.state.ia.us**