

Exemptions from Public Records Disclosure and Confidential Records

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Table 2

September 2012 through Present

Subject	RCW (Effective 2012)	RCW (Effective 2013 and later)	Description	Date Enacted
Personal information	42.56.230(1)		Personal information in files for students in public schools, patients or clients of public institutions or public health agencies, or welfare programs	1973 (I-276)
	42.56.230(3)		Personal information in files on employees, appointees, or elected officials if disclosure would violate their right to privacy	1973 (I-276)
	42.56.230(4)		Certain taxpayer information if it would violate taxpayers right of privacy	1973 (I-276)
	42.56.230(5)		Credit card numbers, debit card numbers, electronic check numbers, and other financial information, except when disclosure is required by other law	
	42.56.230(7)(c)		Records pertaining to license plates, drivers' licenses, or identicards that may reveal that a person was performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigations	
Employment and licensing	42.56.250(1)		Test questions, scoring keys, and other exam information used on licenses, employment or academics	1973 (I-276)
	42.56.250(2)		Applications for public employment, including names, resumes, and other related materials submitted with respect to an applicant	1987
	42.56.250 (3) (4)		Address, phone nos., email addresses, SSNs, drivers' license numbers, identicard numbers, and emergency contact information of public employees or volunteers held by public agencies	1987 2014 c 106 s 1
	42.56.250 (4) (5)		Information from employee relating to an unfair practice, if requested	1992
	42.56.250 (5) (6)		Records of unfair practices investigations	1994
Preliminary records containing opinions or policy formulations	42.56.280		Preliminary drafts, notes, recommendations, and intra-agency memos where opinions are expressed, or policies formulated or recommended, unless cited by an agency	1973 (I-276)
Agency party to a controversy	42.56.290		Agency records relevant to a controversy, but which would not be available to another party under the rules of pretrial discovery for causes pending in the Superior courts	
Health professionals	42.56.350(1)		SSNs of health care professionals maintained in files of the Dept. of Health	
	42.56.350(2)		Residential addresses and telephone numbers of health care providers maintained in files of the Dept. of Health	
Health care	42.56.360(1)(f)		Complaints filed under the Health Care Professions Uniform Disciplinary Act	1997
	42.56.360(1)(i)		Cardiac stroke system performance data submitted pursuant to RCW 70.168.150(2)(b)	2010 c 52 s 6

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	42.56.360(1)(j)		All documents pertaining to a wellness program under RCW 41.04.362, except for statistical reports that do not identify an individual	2010 c 128 s 3
		42.56.360(1)(k)	Claims data and information provided to the statewide all-payer health care claims database and the database that is exempt from disclosure under RCW 43.371.040	2014 c 223 s 17
	42.56.360(2)		Health care information disclosed to health care provider without patient's permission	1991
	42.56.360(3)(a)		Documents relating to infant mortality reviews	1992
		42.56.360(4)	Info & documents relating to maternal mortality reviews pursuant to RCW 70.54.-- (section 1 of this act) (expires 6/30/2020)	2016 c 238 s 13
Domestic violence	42.56.370		Client records of community sexual assault program or services for underserved populations	1991 2012 c 29 s 13
Part III: Confidential Information and Exceptions from disclosure in other statutes				
	4.24.250		Hospital review committee records on professional staff	1971
	4.24.601		Trade secrets and confidential research, development or commercial information	1994
	4.24.611		Trade secrets, confidential research, development or commercial information concerning products or business methods	1994
	4.92.210		Information in centralized risk management claim tracking system	1989
	5.60.060		General statements of privileged communications between persons & various professionals, e.g., attorneys or physicians - presumably applies to records	1954 & later dates
	7.68.080(10)		At the request of health care contractor, department must keep financial and trade information confidential	2011 c 346 s 501
	7.68.140		Records re. Victims of crimes confidential & not open to inspection	1973
	7.96A.030(4)		Name, address, or photograph of child victim or child witness	1985
Counselors	18.19.180		Information counselors acquire and acknowledgment of practice disclosure statements	1987
	18.53.200		Information and records of optometrists	1975
	18.71.0195		Contents of physician disciplinary report	1979
	18.71.340		Entry records under impaired physician program	1987
	18.83.110		Communications between client and psychologist - could apply to records	1955
Health care professions	18.130.057(2)(b)		Disciplining authority may not disclose information in a file that contains confidential or privileged information regarding a patient other than the person making the complaint or report	2011 c 157 s 1
	18.130.095(1)(a)		Treatment and pretreatment records of health professionals referred to voluntary substance abuse monitoring program under uniform disciplinary act	1997
	18.130.172(1)		Summary and stipulations in complaints against health care professionals	1993
	18.130.175(4)		Voluntary substance abuse treatment records of licensed health care professionals	1988

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	42.48.020 & 42.48.040		Personally identifiable public records used in scientific research	1985
State Government	43.01.425		Crisis referral services communications and information are confidential	2009 c 19 s 2
	43.70.050(2)		Health care related data identifying patients and providers obtained by state agencies	1989
	43.70.052		DOH must maintain confidentiality of patient discharge data collected under sub (1) of the section	1995 2014 c 220 s 2
	43.70.056(2)(e)(ii)		Hospital reports and information on health care-associated infections	2007
	43.70.695(5)		Healthcare workforce surveys identifying individual providers	2006
Family & Medical Leave		50A.--.(4)	Information pertaining to employees under this chapter is confidential (but may be reviewed by department employees or representatives)	2017 3rd sp.s. c 5 s 29
		50A.--.(5)	Departmental outreach to explain benefits, including confidentiality	2017 3rd sp.s. c 5 s 29
		50A.--.(2)(b)	Information obtained under this chapter from employer records is confidential	2017 3rd sp.s. c 5 s 33
		50A.--.(4)	Information in surveys of the ombudsmen office for families and medical leave is confidential	2017 3rd sp.s. c 5 s 88
	68.50.105		Records of autopsies and post mortems; conditions, limitations on exemption	1953 2013 c 295 s 1
	68.64.109		Certain information released to tissue or organ procurement organization is confidential	2008 c 139 s 21
Food, Drugs, Cosmetics, and Poison	69.51.050		Names of persons participating in controlled substances therapeutic research programs	1979
	70.02.020, 70.02.050, et al.		Health care info disclosed to health care provider w/o patients' permission	1991
		70.02.220 through 70.02.260	Health care information	2013 sp.s. c 200 s 6-10
	70.05.170		Medical records re: child mortality review	1992
	70.24.022		Info gathered by health care workers from interviews re. sexually transmitted diseases	1988
	70.24.024		Records of hearings on orders related to sexually transmitted diseases	1988
	70.24.034		Records on hearings on dangerous sexual behavior of sexually transmitted disease carriers	1988
	70.28.020		Tuberculosis records	1899
	70.41.200(3)		Info maintained by a health care services quality improvement committee	1986
	70.41.220		Hospital records restricting practitioner's privileges in possession of medical disciplinary board	1986
	70.42.210		Identity of person from whom specimens of material were taken at a medical test site	1989
	70.47.150		Records of medical treatment	1990
	70.54.250		Cancer registry program	1990

Subject	RCW (Effective 2012)	RCW (Effective 2013 and later)	Description	Date Enacted
		70.54.450 (1) and (4) Expires 6/30/2020	(1) Information collected or maintained by the maternity mortality review panel or the department of health in support of the panel or department. (4) Meetings may be confidential and conducted in exec session at discretion of panel. X-ref 42.56.360(4)	2016 c 238 s 1
	70.58.055(2)		Info on birth & manner of delivery kept in birth certificate records	1991
	70.127.190		Hospice records	1988
	70.129.050		Personal and clinical records of long-term care residents	1994
	70.168.070		Limitations on disclosure of reports made by hospital trauma care on-site review teams	1990
	70.168.090		Patient records and quality assurance records associated with trauma care facilities	1990
	70.170.090		Charity care information in hospitals	1989
	70.230.110		Ambulatory surgical facilities data related to the quality of patient care	2007
	71.05.620		Records on mental health treatment	1989
	71.24.035(5)(g)(h)	Relettered (5)(h)	Mental health records confidentiality	1982 2016 sp s. c 29 s 503
	71.34.335		Minors' mental health treatment records	1985
	71.34.340		Minors' mental health treatment records	1985
	71A.14.070		Confidential info re. developmentally disabled persons	1988
	72.05.130(1)		Reports regarding children with behavioral problems	1951
	74.13.640		Child fatality reports are subject to disclosure, but confidential information may be redacted	2011 c 61 s 2