

---

SENATE BILL 6621

---

State of Washington

55th Legislature

1998 Regular Session

By Senators Wojahn, Wood, Prentice, Winsley, McAuliffe, Kline, Franklin, B. Sheldon, Thibaudeau, Snyder, Goings, Fraser, Fairley and Kohl

Read first time 01/23/98. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to reporting of domestic violence by physicians;  
2 adding a new section to chapter 10.99 RCW; creating a new section; and  
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.99 RCW  
6 to read as follows:

7 (1) Physicians licensed under chapter 18.71 RCW and doctors of  
8 osteopathy licensed under chapter 18.57 RCW who, in the course of their  
9 practice and as the result of a treating relationship, encounter a  
10 patient who is or may be on the basis of clinical evidence a victim of  
11 domestic violence shall have a duty to report the victimization, or  
12 cause a report to be made, to an appropriate law enforcement agency.

13 The duty to notify under this section is met if a person notifies  
14 or attempts to provide such notice by telephone or any other means as  
15 soon as reasonably possible.

16 (2) In addition to the duty to report domestic violence abuse to  
17 law enforcement agencies, a physician shall also provide the victim who  
18 is his or her patient with a notice of information regarding legal  
19 rights and resources for immediate help, in form and content

1 substantially compliant with the notice required under RCW  
2 10.99.030(7), including information about local shelters and a twenty-  
3 four hour hotline for domestic violence referral.

4 (3) Any physician participating in good faith in the making of a  
5 report pursuant to this chapter, or testifying as to alleged domestic  
6 violence in a judicial proceeding shall be immune from any liability  
7 arising out of such reporting or testifying, under any law of this  
8 state or its political subdivisions.

9 (4) Any physician who, intentionally and in bad faith or  
10 maliciously, knowingly makes a false report of domestic violence abuse  
11 shall be guilty of a misdemeanor punishable in accordance with RCW  
12 9A.20.021.

13 (5) Failure to report as required by this section is a gross  
14 misdemeanor punishable in accordance with RCW 9A.20.021. However, it  
15 is an affirmative defense to the charge of failure to report that the  
16 person had at the time of the failure to report a reasonable belief  
17 that making such a report would place the patient or the patient's  
18 family or household member in danger of immediate physical harm.

19 NEW SECTION. **Sec. 2.** This act may be known and cited as the  
20 physician domestic violence reporting act.

--- END ---