

SENATE BILL REPORT

HB 2861

As Reported By Senate Committee On:
Human Services & Corrections, February 24, 2000

Title: An act relating to health care information.

Brief Description: Modifying the definition of health care information.

Sponsors: Representatives O'Brien, Cody, Miloscia, Parlette, Ballasiotes, Morris, Alexander, Anderson, Santos, Edmonds, Murray, Kastama, Schual-Berke, Scott, Thomas, Barlean, Quall, Dickerson, Mitchell, Delvin, Kenney, Edwards, Rockefeller and McIntire.

Brief History:

Committee Activity: Human Services & Corrections: 2/24/2000 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Sheahan, Stevens and Zarelli.

Staff: Joan K. Mell (786-7447)

Background: The health information of a patient is confidential under state law and cannot be disclosed without the consent of the patient, except under specified conditions. Health care information includes any information, oral or recorded, in any form or medium, that identifies or can be associated with a patient and directly relates to a person's health care.

A person's identified DNA is not specifically referenced in the definition of "health care information" in the law protecting the confidentiality of a person's health information.

Summary of Amended Bill: The definition of "health care information" is clarified to include a person's identified DNA, which is treated as confidential information that cannot be disclosed without the consent of a patient, except under the express conditions specified in state law.

DNA that is collected clinically and released for research purposes must follow the confidentiality requirements of an institutional review board.

Informed consent is required when isolating DNA health care information. DNA must not be screened in insurance transactions or for employment purposes.

DNA health care information from the newborn screening program must have confidentiality rules.

A commission is established to analyze public policy recommendations concerning DNA health care information.

Amended Bill Compared to Original Bill: Provisions are added relating to health care information that clarify how DNA can be used and establishing a commission to analyze public policy.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Amending medical records confidentiality provisions to clarify that DNA is protected information offers appropriate confidentiality protections, without impacting research.

Testimony Against: None.

Testified: PRO: Jackie Der, UW Acad. Med. Center School of Medicine; Kris Coppin.