

# SENATE BILL REPORT

## ESB 6236

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As Passed Senate, February 12, 2000

**Title:** An act relating to the transfer of data for operational, evaluation, and research purposes.

**Brief Description:** Promoting efficiency with respect to employment and related services.

**Sponsors:** Senator Fairley; by request of Employment Security Department.

**Brief History:**

**Committee Activity:** Labor & Workforce Development: 1/11/2000, 1/27/2000 [DPA].  
Passed Senate, 2/12/2000, 45-0.

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### SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

**Majority Report:** Do pass as amended.

Signed by Senators Fairley, Chair; Franklin, Vice Chair; Hochstatter, Kline, Oke and Wojahn.

**Staff:** Elizabeth Mitchell (786-7430)

**Background:** A government agency or private organization may request confidential information held by the Employment Security Department by submitting an application to the department. With some exceptions, the requesting party must also notify the individual or employer involved that information is being sought. When notification occurs, the Employment Security Department must consider an objection to the release of information before the information is released.

Thirteen one-stop WorkSource career development centers are currently operating throughout the state. The centers were created to provide all the job resources, technology and personal assistance that job seekers need in one place. Businesses can also recruit new employees through WorkSource centers.

There is concern that the process of requesting data limits the ability of the department and partner organizations to jointly track program outcomes of WorkSource career centers in a timely and efficient manner. In addition, WorkSource participants are sometimes required to submit duplicate information to different organizations due to the lack of data sharing between WorkSource partner organizations.

Currently, information provided by the Department of Employment Security to other agencies is not explicitly exempt from public disclosure.

**Summary of Bill:** The Commissioner of Employment Security may enter into data sharing contracts with agencies and organizations involved in one-stop WorkSource career centers. The commissioner may also enter into data sharing contracts with state agencies to facilitate operation and evaluation of state programs.

The contract takes the place of a formal agency request and the personal notification requirement is waived. Confidential information is to be exchanged only to the extent that the information is necessary for the operation or evaluation of state services and is not subject to public disclosure. A civil penalty of \$5000 is created for the misuse or unauthorized release of information.

The confidential information provided by Employment Security to the Office of Financial Management and the Department of Social and Health Services for evaluation of the WorkFirst program is not subject to public disclosure. Individually identifiable information received by the Workforce Training and Education Coordinating Board is also made exempt from public inspection and copying.

Persons whose information may be shared for program operation purposes under data sharing contracts must be provided with a consent form. The form must be provided in English and the dominant non-English language of the community in which a WorkSource Center or Job Service Center is located. Applicants must be informed that a refusal to sign the consent form will not result in a denial of services. One copy of the consent form must be entered into the applicant's file, and one copy must be given to the applicant.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Data sharing will result in increased efficiency. The penalty for misuse of information provides increased protection for clients.

**Testimony Against:** None.

**Testified:** Tammy Fellin, Dave Ziegler, Employment Security Department; Wes Pruitt, Workforce Training and Education Coordinating Board.

**House Amendment(s):** The amendment requires the Employment Security Department to notify individuals who apply for services from one-stop career centers that information is being shared under data-sharing contracts with other one-stop partners. The notification must: (1) advise the individual that he or she may request that private and confidential information not be shared and that such a request will not affect his or her receipt of services; (2) describe the nature of the information being shared, the general use of the shared information, and those with whom the information will be shared; (3) inform the individual that information will be used only for purposes of delivering services and any other disclosure is prohibited; and (4) be provided in English and an alternate language selected by the one-stop center or job service center that is appropriate for the community where the center is located.

If the notification is in person, the individual must request immediately that information not be shared. Notice must be given whether application for services is done telephonically, electronically, or by mail.