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**SENATE BILL 5482**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senators Thibaudeau, Deccio, Costa, Rasmussen and Winsley

Read first time 01/25/1999. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to the use of state data bases for institutionally  
2 reviewed medical and health research; and adding a new section to  
3 chapter 42.17 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.17 RCW,  
6 to be codified immediately after RCW 42.17.312, to read as follows:

7 (1) In addition to records and information available for public  
8 inspection, copying, or use under federal or state laws, including but  
9 not limited to RCW 42.17.250 through 42.17.348 and 18 U.S.C. Sec. 2721  
10 (the "Driver's Privacy Protection Act of 1994"), vital statistics must  
11 be made available for inspection, copying, and use by a health research  
12 organization in connection with a medical or health research project  
13 that an institutional review board, as defined in RCW 70.02.010, has  
14 determined:

15 (a) Is of sufficient importance to outweigh the intrusion into the  
16 privacy of a person that would result from access to the vital  
17 statistics in question;

18 (b) Is impracticable without the use or disclosure of the vital  
19 statistics in individually identifiable form;

1 (c) Contains reasonable safeguards to protect the information from  
2 redisclosure;

3 (d) Contains reasonable safeguards to protect against identifying,  
4 directly or indirectly, a person whose vital statistics are accessed,  
5 in a report of the research project; and

6 (e) Contains procedures to remove or destroy at the earliest  
7 opportunity, consistent with the purposes of the project, information  
8 that would enable identification of the person whose vital statistics  
9 are accessed, unless an institutional review board authorizes retention  
10 of identifying information for purposes of another research project.

11 (2) Inspection, copying, and use of vital statistics as provided in  
12 this section are necessary to the maintenance of public health and  
13 safety.

14 (3) In this section:

15 (a) "Health research organization" means a nonprofit corporation  
16 that is exempt under section 501(c)(3) of the Internal Revenue Code and  
17 authorized under federal or state law to conduct health or medical  
18 research;

19 (b) "Vital statistics" means records held by state government and  
20 by local governments descriptive of a readily identifiable person  
21 including name, address, gender, voter registration number, birth,  
22 death, marriage, divorce, annulment, and dates pertinent to them.

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