

5482

Sponsor(s): Senators Thibaudeau, Deccio, Costa, Rasmussen and Winsley

Brief Description: Regulating disclosure of medical and health research records.

SB 5482 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Provides that, in addition to records and information available for public inspection, copying, or use under federal or state laws, including but not limited to RCW 42.17.250 through 42.17.348 and 18 U.S.C. Sec. 2721 (the "Driver's Privacy Protection Act of 1994"), vital statistics must be made available for inspection, copying, and use by a health research organization in connection with a medical or health research project that an institutional review board, as defined in RCW 70.02.010, has determined: (1) Is of sufficient importance to outweigh the intrusion into the privacy of a person that would result from access to the vital statistics in question;

(2) is impracticable without the use or disclosure of the vital statistics in individually identifiable form;

(3) contains reasonable safeguards to protect the information from redisclosure;

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

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