

HOUSE BILL REPORT

HB 2387

As Amended by the Senate

Title: An act relating to the release of patient records for the purpose of restoring state mental health hospital cemeteries.

Brief Description: Authorizing the release of patient records for the purpose of restoring state mental health hospital cemeteries.

Sponsors: By Representatives Carrell, Talcott, Bush, Lantz, Cox, Pearson, McMahan, Kristiansen, Mielke, Boldt, Morrell, Orcutt and Ahern.

Brief History:

Committee Activity:

Health Care: 1/22/04 [DP].

Floor Activity:

Passed House: 2/11/04, 95-0.

Senate Amended.

Passed Senate: 3/3/04, 45-0.

Brief Summary of Bill

- Allows release of records for patients buried more than 50 years ago on the grounds of state mental health hospitals, for the purpose of marking their graves.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 13 members: Representatives Cody, Chair; Morrell, Vice Chair; Bailey, Ranking Minority Member; Alexander, Benson, Campbell, Clibborn, Darneille, Edwards, Moeller, Rodne, Schual-Berke and Skinner.

Staff: Sarah Shirey (786-5793) and Dave Knutson (786-7146).

Background:

Between 1887 and 1953, the state buried more than 7,000 patients on hospital grounds who had died while in residence at Northern, Western and Eastern State Mental Health Hospitals. In 1953, the state discontinued this practice. Most of the graves at these

facilities were never marked, though the hospitals retained records of the names and dates of birth and death for the majority of the buried patients.

Current law governing patient record confidentiality does not allow the release of patient records, including names and dates of demise, even after death. State hospitals may only release information about the patients buried on hospital grounds to families of the patient. This is one of the primary reasons that cemeteries located on hospital grounds have remained unmarked.

Summary of Bill:

The Department of Social and Health Services is permitted to release the medical records of patients interred at state mental health hospital cemeteries for the purpose of marking their headstones or otherwise memorializing their resting place.

EFFECT OF SENATE AMENDMENT(S):

References to "state mental health hospital cemeteries" are changed to "state hospital cemeteries" in the title and throughout the bill.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill presents a way by which the state may honor citizens who have been buried in unmarked graves for more than 50 years at state hospitals at no cost to the state. Volunteer groups have been working to restore the hospital cemeteries for several years, but their work cannot be completed without the passage of this legislation. This legislation is necessary to restore the dignity and personhood of people who suffered from mental illness. These people deserve to have their names remembered.

Testimony Against: None.

Persons Testifying: (In support) Representative Carrell, prime sponsor; Representative Talcott, secondary sponsor; Sherry Storms, Mental Health Ombudsman; Stacie Larson, NAMI Thurston/Mason; and Laurel Lemke, Grave Concerns Association.

Persons Signed In To Testify But Not Testifying: None.