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HOUSE BILL 2329

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Hunter, Alexander, Jarrett, Haigh, Nixon, Chase, Haler, Wallace, Kagi, Green, Dunn and Schual-Berke

Prefiled 12/20/2005.      Read first time 01/09/2006.      Referred to Committee on State Government Operations & Accountability.

1            AN ACT Relating to clarifying that the state auditor and the joint  
2 legislative audit and review committee are among the entities that are  
3 exceptions to the provisions prohibiting disclosure of department of  
4 social and health services information; amending RCW 74.04.060; and  
5 creating a new section.

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

7            NEW SECTION.    **Sec. 1.** It is the intent of the legislature to  
8 clarify that the state auditor and the joint legislative audit and  
9 review committee are included within the exception to the provisions  
10 prohibiting disclosure of department of social and health services  
11 information. The legislature finds that though these entities were  
12 intended to be included within the exception, a clarification is  
13 necessary to ensure that the state auditor and the joint legislative  
14 audit and review committee have full access to the records of the  
15 department of social and health services.

16            **Sec. 2.** RCW 74.04.060 and 1987 c 435 s 29 are each amended to read  
17 as follows:

18            For the protection of applicants and recipients, the department and

1 the county offices and their respective officers and employees are  
2 prohibited, except as hereinafter provided, from disclosing the  
3 contents of any records, files, papers and communications, except for  
4 purposes directly connected with the administration of the programs of  
5 this title. In any judicial proceeding, except such proceeding as is  
6 directly concerned with the administration of these programs, such  
7 records, files, papers and communications, and their contents, shall be  
8 deemed privileged communications and except for the right of any  
9 individual to inquire of the office whether a named individual is a  
10 recipient of welfare assistance and such person shall be entitled to an  
11 affirmative or negative answer. However, upon written request of a  
12 parent who has been awarded visitation rights in an action for divorce  
13 or separation or any parent with legal custody of the child, the  
14 department shall disclose to him or her the last known address and  
15 location of his or her natural or adopted children. The secretary  
16 shall adopt rules which establish procedures for disclosing the address  
17 of the children and providing, when appropriate, for prior notice to  
18 the custodian of the children. The notice shall state that a request  
19 for disclosure has been received and will be complied with by the  
20 department unless the department receives a copy of a court order which  
21 enjoins the disclosure of the information or restricts or limits the  
22 requesting party's right to contact or visit the other party or the  
23 child. Information supplied to a parent by the department shall be  
24 used only for purposes directly related to the enforcement of the  
25 visitation and custody provisions of the court order of separation or  
26 decree of divorce. No parent shall disclose such information to any  
27 other person except for the purpose of enforcing visitation provisions  
28 of the said order or decree.

29 The county offices shall maintain monthly at their offices a report  
30 showing the names and addresses of all recipients in the county  
31 receiving public assistance under this title, together with the amount  
32 paid to each during the preceding month.

33 The provisions of this section shall not apply to duly designated  
34 representatives of approved private welfare agencies, public officials  
35 including the state auditor, members of legislative interim committees  
36 and advisory committees when performing duties directly connected with  
37 the administration of this title, such as regulation and investigation  
38 directly connected therewith, including the joint legislative audit and

1 review committee: PROVIDED, HOWEVER, That any information so obtained  
2 by such persons or groups shall be treated with such degree of  
3 confidentiality as is required by the federal social security law.

4 It shall be unlawful, except as provided in this section, for any  
5 person, body, association, firm, corporation or other agency to  
6 solicit, publish, disclose, receive, make use of, or to authorize,  
7 knowingly permit, participate in or acquiesce in the use of any lists  
8 or names for commercial or political purposes of any nature. The  
9 violation of this section shall be a gross misdemeanor.

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