

SENATE BILL REPORT

SB 6590

As of February 4, 2008

Title: An act relating to confidential information.

Brief Description: Modifying confidential information provisions.

Sponsors: Senators Fairley, Brandland, McAuliffe, Delvin and Regala; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Human Services & Corrections: 2/1/08.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

Background: The Department of Social and Health Services (DSHS) must respond to reports made by mandated reporters and others that a vulnerable adult has been abandoned, abused, financially exploited, or neglected. In certain situations, DSHS can conduct ongoing case planning and consultation with the vulnerable adult and others involved in the person's life. DSHS is to prepare and keep on file a report of each investigation that it conducts.

Summary of Bill: The following information is added to the existing list of information that need not be disclosed by DSHS: the identity of a vulnerable adult or a witness, without that person's written permission.

DSHS may disclose the following information: that DSHS received a report of abuse, abandonment, financial exploitation, neglect, or self-neglect; whether a DSHS investigator has been assigned to a case and whether the investigation is ongoing or completed; and whether DSHS offered protective services to the adult and whether the adult accepted the offer of services.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Currently under RCW 74.34, DSHS cannot provide information to the public regarding investigations and service provision, and would like to provide some information within limits. This bill would allow them to do that.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

CON: In 2000 the language currently in statute was enacted as a result of the Linda David case. When the media has requested documents in vulnerable adult abuse cases, DSHS does not release documents that they had been in the past, and have cited HIPAA and other federal laws as the reason they cannot. This bill appears to be DSHS's response to recent requests from reporters for information.

Persons Testifying: PRO: Bill Moss, Department of Social and Health Services.

CON: Rowland Thompson, Allied Daily Newspapers.