
HOUSE BILL 2936

State of Washington

60th Legislature

2008 Regular Session

By Representatives Moeller and Morrell; by request of Department of Social and Health Services

Read first time 01/18/08. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to confidential information; and amending RCW
2 74.34.095.

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

4 **Sec. 1.** RCW 74.34.095 and 2000 c 87 s 4 are each amended to read
5 as follows:

6 (1) The following information is confidential and not subject to
7 disclosure, except as provided in this section:

8 (a) A report of abandonment, abuse, financial exploitation, or
9 neglect made under this chapter;

10 (b) The identity of the vulnerable adult, person making the report,
11 or of a witness, without the individual's written permission; and

12 (c) All files, reports, records, communications, and working papers
13 used or developed in the investigation or provision of protective
14 services.

15 (2) Information considered confidential may be disclosed only for
16 a purpose consistent with this chapter or as authorized by chapter
17 18.20, 18.51, 70.128, 74.04, or 74.39A RCW, or as authorized by the
18 long-term care ombudsman programs under federal law or state law,
19 chapter 43.190 RCW, or other applicable federal law.

1 (3) The department may disclose the following information:

2 (a) The fact that a report of abuse, abandonment, financial
3 exploitation, neglect, or self-neglect was received by the department;

4 (b) Whether or not a department investigator has been assigned and
5 whether the investigation is completed or ongoing;

6 (c) Whether or not the department offered protective services to
7 the vulnerable adult and whether the vulnerable adult accepted the
8 offer of protective services.

9 (4) A court or presiding officer in an administrative proceeding
10 may order disclosure of confidential information only if the court, or
11 presiding officer in an administrative proceeding, determines that
12 disclosure is essential to the administration of justice and will not
13 endanger the life or safety of the vulnerable adult, witnesses, or
14 individual who made the report. The court or presiding officer in an
15 administrative hearing may place restrictions on such disclosure as the
16 court or presiding officer deems proper.

17 (5) The department may adopt rules necessary to implement this
18 section.

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