

SSB 5434 - H COMM AMD

By Committee on Health Care & Wellness

ADOPTED 04/16/2013

1 On page 6, after line 32, insert the following:

2

3 "Sec. 4. RCW 42.56.400 and 2012 2nd sp.s. c 3 s 8 are each
4 amended to read as follows:

5 The following information relating to insurance and financial
6 institutions is exempt from disclosure under this chapter:

7 (1) Records maintained by the board of industrial insurance
8 appeals that are related to appeals of crime victims' compensation
9 claims filed with the board under RCW 7.68.110;

10 (2) Information obtained and exempted or withheld from public
11 inspection by the health care authority under RCW 41.05.026, whether
12 retained by the authority, transferred to another state purchased
13 health care program by the authority, or transferred by the authority
14 to a technical review committee created to facilitate the development,
15 acquisition, or implementation of state purchased health care under
16 chapter 41.05 RCW;

17 (3) The names and individual identification data of either all
18 owners or all insureds, or both, received by the insurance
19 commissioner under chapter 48.102 RCW;

20 (4) Information provided under RCW 48.30A.045 through 48.30A.060;

21 (5) Information provided under RCW 48.05.510 through 48.05.535,
22 48.43.200 through 48.43.225, 48.44.530 through 48.44.555, and
23 48.46.600 through 48.46.625;

24 (6) Examination reports and information obtained by the department
25 of financial institutions from banks under RCW 30.04.075, from savings
26 banks under RCW 32.04.220, from savings and loan associations under
27 RCW 33.04.110, from credit unions under RCW 31.12.565, from check

1 cashers and sellers under RCW 31.45.030(3), and from securities
2 brokers and investment advisers under RCW 21.20.100, all of which is
3 confidential and privileged information;

4 (7) Information provided to the insurance commissioner under RCW
5 48.110.040(3);

6 (8) Documents, materials, or information obtained by the insurance
7 commissioner under RCW 48.02.065, all of which are confidential and
8 privileged;

9 (9) Confidential proprietary and trade secret information provided
10 to the commissioner under RCW 48.31C.020 through 48.31C.050 and
11 48.31C.070;

12 (10) Data filed under RCW 48.140.020, 48.140.030, 48.140.050, and
13 7.70.140 that, alone or in combination with any other data, may reveal
14 the identity of a claimant, health care provider, health care
15 facility, insuring entity, or self-insurer involved in a particular
16 claim or a collection of claims. For the purposes of this subsection:

17 (a) "Claimant" has the same meaning as in RCW 48.140.010(2).

18 (b) "Health care facility" has the same meaning as in RCW
19 48.140.010(6).

20 (c) "Health care provider" has the same meaning as in RCW
21 48.140.010(7).

22 (d) "Insuring entity" has the same meaning as in RCW
23 48.140.010(8).

24 (e) "Self-insurer" has the same meaning as in RCW 48.140.010(11);

25 (11) Documents, materials, or information obtained by the
26 insurance commissioner under RCW 48.135.060;

27 (12) Documents, materials, or information obtained by the
28 insurance commissioner under RCW 48.37.060;

29 (13) Confidential and privileged documents obtained or produced by
30 the insurance commissioner and identified in RCW 48.37.080;

31 (14) Documents, materials, or information obtained by the
32 insurance commissioner under RCW 48.37.140;

33 (15) Documents, materials, or information obtained by the
34 insurance commissioner under RCW 48.17.595;

1 (16) Documents, materials, or information obtained by the
2 insurance commissioner under RCW 48.102.051(1) and 48.102.140 (3) and
3 (7)(a)(ii);

4 (17) Documents, materials, or information obtained by the
5 insurance commissioner in the commissioner's capacity as receiver
6 under RCW 48.31.025 and 48.99.017, which are records under the
7 jurisdiction and control of the receivership court. The commissioner
8 is not required to search for, log, produce, or otherwise comply with
9 the public records act for any records that the commissioner obtains
10 under chapters 48.31 and 48.99 RCW in the commissioner's capacity as a
11 receiver, except as directed by the receivership court;

12 (18) Documents, materials, or information obtained by the
13 insurance commissioner under RCW 48.13.151;

14 (19) Data, information, and documents provided by a carrier
15 pursuant to section 1, chapter 172, Laws of 2010;

16 (20) Information in a filing of usage-based insurance about the
17 usage-based component of the rate pursuant to RCW 48.19.040(5)(b);
18 (~~and~~)

19 (21) Data, information, and documents, other than those described
20 in RCW 48.02.210(2), that are submitted to the office of the insurance
21 commissioner by an entity providing health care coverage pursuant to
22 RCW 28A.400.275 and 48.02.210; and

23 (22) Information not subject to public inspection or public
24 disclosure under section 1(5) of this act."

25
26 Renumber the remaining section consecutively and correct any
27 internal references accordingly. Correct the title.

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EFFECT: Clarifies that provider compensation agreements are
not subject to public disclosure under the Public Records Act.

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